

IN THE HOUSE OF REPRESENTATIVES

Ordered to be printed with amendments of the Senate numbered

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

8 TITLE I

9 MILITARY PERSONNEL

10 MILITARY PERSONNEL, ARMY

11 For pay, allowances, individual clothing, interest on
12 deposits, gratuities, permanent change of station travel

1 (including all expenses thereof for organizational move-
 2 ments), and expenses of temporary duty travel between
 3 permanent duty stations, for members of the Army on ac-
 4 tive duty (except members of reserve components provided
 5 for elsewhere), cadets, and aviation cadets; and for pay-
 6 ments pursuant to section 156 of Public Law 97-377, as
 7 amended (42 U.S.C. 402 note), to section 229(b) of the
 8 Social Security Act (42 U.S.C. 429(b)), and to the De-
 9 partment of Defense Military Retirement Fund;
 10 ~~“(1) \$20,737,470,000~~ \$20,629,770,000.

11 *SECTION 1. VISAS FOR OFFICIALS OF TAIWAN.—Sec-*
 12 *tion 4(b)(6) of the Taiwan Relations Act (22 U.S.C.*
 13 *3302(b)(6)) is amended—*

14 *(1) by inserting “(A)” immediately after “(6)”;*
 15 *and*

16 *(2) by adding at the end the following:*

17 *“(B) Whenever the president of Taiwan or any*
 18 *other high-level official of Taiwan shall apply for a*
 19 *temporary visa to visit the United States for the pur-*
 20 *poses of:*

21 *“(i) Discussions with United States Federal*
 22 *or State Government officials concerning trade*
 23 *or business with Taiwan or the reduction of the*
 24 *United States-Taiwan trade deficit;*

1 “(ii) Discussions with United States Fed-
 2 eral or State Government officials concerning
 3 nuclear proliferation;

4 “(iii) Discussions with United States Fed-
 5 eral officials concerning United States national
 6 security or the national security of Taiwan; or

7 “(iv) Discussions with United States Fed-
 8 eral or State Government officials concerning the
 9 proviion of humanitarian relief and assistance
 10 for regional disasters;

11 The official shall be admitted to the United States,
 12 unless the official is otherwise excludable under the
 13 immigration laws of the United States.”.

14 **SEC. 2. LIMITATION ON THE USE OF FUNDS FOR THE SAN-**
 15 **DINISTA POPULAR ARMY AND SECURITY**
 16 **FORCES OF NICARAGUA.**

17 None of the funds appropriated under this Act may
 18 be obligated or expended for the armed forces or security
 19 forces of Nicaragua, and none of the funds appropriated
 20 by this Act may be obligated or expended to pay the salaries
 21 of United States military personnel to provide assistance
 22 for the armed forces or security forces of Nicaragua, until
 23 the President determines and certifies to the Congress
 24 that—

1 (1) *Nicaraguan military officers implicated for*
2 *committing human rights violations, including those*
3 *involved in the murders of Enrique Bermudez, Arges*
4 *Sequeira, and Jean Paul Genie, have been removed or*
5 *suspended from the military and judicial proceedings*
6 *have commenced;*

7 (2) *officers of the Nicaraguan armed forces or se-*
8 *curity forces are not involved in the illicit trafficking*
9 *of military equipment, including those seized by Co-*
10 *lombian authorities on the San Andres Islands on*
11 *July 24, 1994;*

12 (3) *civilian control over the military and secu-*
13 *rity forces, including control over the budget and ex-*
14 *penditures of such forces, has been clearly established;*
15 *and*

16 (4) *there has been a full and independent inves-*
17 *tigation conducted relating to issues raised by the*
18 *May 23, 1993 discovery of the Santa Rosa arms cache*
19 *of the existence of a terrorist/kidnapping ring and*
20 *any individuals identified by the investigation as*
21 *being part of such ring are being prosecuted.*

22 MILITARY PERSONNEL, NAVY

23 For pay, allowances, individual clothing, interest on
24 deposits, gratuities, permanent change of station travel
25 (including all expenses thereof for organizational move-

1 ments), and expenses of temporary duty travel between
 2 permanent duty stations, for members of the Navy on ac-
 3 tive duty (except members of the Reserve provided for
 4 elsewhere), midshipmen, and aviation cadets; and for pay-
 5 ments pursuant to section 156 of Public Law 97-377, as
 6 amended (42 U.S.C. 402 note), to section 229(b) of the
 7 Social Security Act (42 U.S.C. 429(b)), and to the De-
 8 partment of Defense Military Retirement Fund;
 9 ~~●(2)\$17,692,537,000~~ *\$17,638,483,000.*

10 MILITARY PERSONNEL, MARINE CORPS

11 For pay, allowances, individual clothing, interest on
 12 deposits, gratuities, permanent change of station travel
 13 (including all expenses thereof for organizational move-
 14 ments), and expenses of temporary duty travel between
 15 permanent duty stations, for members of the Marine
 16 Corps on active duty (except members of the Reserve pro-
 17 vided for elsewhere); and for payments pursuant to section
 18 156 of Public Law 97-377, as amended (42 U.S.C. 402
 19 note), to section 229(b) of the Social Security Act (42
 20 U.S.C. 429(b)), and to the Department of Defense Mili-
 21 tary Retirement Fund; ~~●(3)\$5,816,671,000~~
 22 *\$5,806,471,000.*

23 MILITARY PERSONNEL, AIR FORCE

24 For pay, allowances, individual clothing, interest on
 25 deposits, gratuities, permanent change of station travel

1 (including all expenses thereof for organizational move-
 2 ments), and expenses of temporary duty travel between
 3 permanent duty stations, for members of the Air Force
 4 on active duty (except members of reserve components
 5 provided for elsewhere), cadets, and aviation cadets; and
 6 for payments pursuant to section 156 of Public Law 97-
 7 377, as amended (42 U.S.C. 402 note), to section 229(b)
 8 of the Social Security Act (42 U.S.C. 429(b)), and to the
 9 Department of Defense Military Retirement Fund;
 10 ~~(4)\$17,311,379,000~~ *\$17,031,179,000.*

11 RESERVE PERSONNEL, ARMY

12 For pay, allowances, clothing, subsistence, gratuities,
 13 travel, and related expenses for personnel of the Army Re-
 14 serve on active duty under sections 265, 3021, and 3038
 15 of title 10, United States Code, or while serving on active
 16 duty under section 672(d) of title 10, United States Code,
 17 in connection with performing duty specified in section
 18 678(a) of title 10, United States Code, or while under-
 19 going reserve training, or while performing drills or equiv-
 20 alent duty or other duty, and for members of the Reserve
 21 Officers' Training Corps, and expenses authorized by sec-
 22 tion 2131 of title 10, United States Code; and for pay-
 23 ments to the Department of Defense Military Retirement
 24 Fund; ~~(5)\$2,183,620,000~~ *\$2,178,620,000.*

1 RESERVE PERSONNEL, NAVY

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Navy Re-
4 serve on active duty under section 265 of title 10, United
5 States Code, or while serving on active duty under section
6 672(d) of title 10, United States Code, in connection with
7 performing duty specified in section 678(a) of title 10,
8 United States Code, or while undergoing reserve training,
9 or while performing drills or equivalent duty, and for
10 members of the Reserve Officers' Training Corps, and ex-
11 penses authorized by section 2131 of title 10, United
12 States Code; and for payments to the Department of De-
13 fense Military Retirement Fund; ~~(6)~~\$1,398,609,000
14 \$1,418,723,000.

15 RESERVE PERSONNEL, MARINE CORPS

16 For pay, allowances, clothing, subsistence, gratuities,
17 travel, and related expenses for personnel of the Marine
18 Corps Reserve on active duty under section 265 of title
19 10, United States Code, or while serving on active duty
20 under section 672(d) of title 10, United States Code, in
21 connection with performing duty specified in section
22 678(a) of title 10, United States Code, or while under-
23 going reserve training, or while performing drills or equiv-
24 alent duty, and for members of the Marine Corps platoon
25 leaders class, and expenses authorized by section 2131 of

1 title 10, United States Code; and for payments to the De-
 2 partment of Defense Military Retirement Fund;
 3 ~~•(7)\$354,048,000~~ *\$351,098,000*.

4 RESERVE PERSONNEL, AIR FORCE

5 For pay, allowances, clothing, subsistence, gratuities,
 6 travel, and related expenses for personnel of the Air Force
 7 Reserve on active duty under sections 265, 8021, and
 8 8038 of title 10, United States Code, or while serving on
 9 active duty under section 672(d) of title 10, United States
 10 Code, in connection with performing duty specified in sec-
 11 tion 678(a) of title 10, United States Code, or while un-
 12 dergoing reserve training, or while performing drills or
 13 equivalent duty or other duty, and for members of the Air
 14 Reserve Officers' Training Corps, and expenses authorized
 15 by section 2131 of title 10, United States Code; and for
 16 payments to the Department of Defense Military Retire-
 17 ment Fund; ~~•(8)\$782,434,000~~ *\$774,834,000*.

18 NATIONAL GUARD PERSONNEL, ARMY

19 For pay, allowances, clothing, subsistence, gratuities,
 20 travel, and related expenses for personnel of the Army Na-
 21 tional Guard while on duty under section 265, 3021, or
 22 3496 of title 10 or section 708 of title 32, United States
 23 Code, or while serving on duty under section 672(d) of
 24 title 10 or section 502(f) of title 32, United States Code,
 25 in connection with performing duty specified in section

1 678(a) of title 10, United States Code, or while under-
 2 going training, or while performing drills or equivalent
 3 duty or other duty, and expenses authorized by section
 4 2131 of title 10, United States Code; and for payments
 5 to the Department of Defense Military Retirement Fund;
 6 ~~(9)\$3,378,705,000~~ *\$3,371,605,000.*

7 NATIONAL GUARD PERSONNEL, AIR FORCE

8 For pay, allowances, clothing, subsistence, gratuities,
 9 travel, and related expenses for personnel of the Air Na-
 10 tional Guard on duty under section 265, 8021, or 8496
 11 of title 10 or section 708 of title 32, United States Code,
 12 or while serving on duty under section 672(d) of title 10
 13 or section 502(f) of title 32, United States Code, in con-
 14 nection with performing duty specified in section 678(a)
 15 of title 10, United States Code, or while undergoing train-
 16 ing, or while performing drills or equivalent duty or other
 17 duty, and expenses authorized by section 2131 of title 10,
 18 United States Code; and for payments to the Department
 19 of Defense Military Retirement Fund;
 20 ~~(10)\$1,238,029,000~~ *\$1,244,729,000.*

1 TITLE II
 2 OPERATION AND MAINTENANCE
 3 OPERATION AND MAINTENANCE, ARMY
 4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses, not otherwise provided for, necessary
 6 for the operation and maintenance of the Army, as author-
 7 ized by law; and not to exceed \$14,437,000 can be used
 8 for emergencies and extraordinary expenses, to be ex-
 9 pended on the approval or authority of the Secretary of
 10 the Army, and payments may be made on his certificate
 11 of necessity for confidential military purposes;
 12 ~~(11)\$17,836,504,000~~ \$17,475,806,000~~(12)~~; of which
 13 \$150,000,000 for real property maintenance shall be made
 14 available for obligation until September 30, 1996 and, in
 15 addition, \$50,000,000 shall be derived by transfer from
 16 the National Defense Stockpile Transaction Fund~~(13)~~:-
 17 *Provided*, That of the funds appropriated in this para-
 18 graph, not less than \$388,599,000 shall be made available
 19 only for conventional ammunition care and maintenance:
 20 *Provided further*, That of the funds appropriated in this
 21 paragraph, \$5,800,000 shall be available only for removal
 22 of Department of Defense equipment from Pine Bluff Ar-
 23 senal: *Provided further*, That of the funds appropriated in
 24 this paragraph, \$473,763,000 shall not be obligated or ex-
 25 pended until authorized by law: *Provided*, That of the funds

1 *appropriated under this heading, not less than \$5,000,000*
 2 *shall be made available only for payment to the DOD 50th*
 3 *Anniversary of World War II Commemoration Appropria-*
 4 *tion.*

5 OPERATION AND MAINTENANCE, NAVY

6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses, not otherwise provided for, necessary
 8 for the operation and maintenance of the Navy and the
 9 Marine Corps, as authorized by law; and not to exceed
 10 \$4,301,000 can be used for emergencies and extraordinary
 11 expenses, to be expended on the approval or authority of
 12 the Secretary of the Navy, and payments may be made
 13 on his certificate of necessity for confidential military pur-
 14 poses; ~~(14)\$21,316,555,000~~ \$21,275,770,000~~(15),—of~~
 15 ~~which \$200,000,000 for real property maintenance shall~~
 16 ~~be made available for obligation until September 30, 1996~~
 17 and, in addition, \$50,000,000 shall be derived by transfer
 18 from the National Defense Stockpile Transaction
 19 Fund~~(16):—Provided, That of the funds appropriated in~~
 20 ~~this paragraph, \$1,206,359,000 shall not be obligated or~~
 21 ~~expended until authorized by law: Provided, That of the~~
 22 *funds appropriated under this heading, not less than*
 23 *\$2,436,700,000 shall be made available for depot mainte-*
 24 *nance, repair and overhaul of United States Navy ships*
 25 *prior to September 30, 1995(17): Provided further, That*

1 *of the funds appropriated under this heading, not less than*
 2 *\$39,674,000 shall be made available only for the Pacific*
 3 *Missile Range Facility, Hawaii*~~(18)~~*: Provided further,*
 4 *That of the funds appropriated under this heading, not less*
 5 *than \$1,000,000 shall be made available only for environ-*
 6 *mental hazard response and remediation activities at facili-*
 7 *ties owned by the Department of the Navy at the Derecktor*
 8 *Shipyard, Newport, Rhode Island.*

9 OPERATION AND MAINTENANCE, MARINE CORPS

10 For expenses, not otherwise provided for, necessary
 11 for the operation and maintenance of the Marine Corps,
 12 as authorized by law; ~~(19)\$2,097,395,000~~
 13 ~~\$1,968,965,000~~~~(20)~~, of which \$66,000,000 for real prop-
 14 erty maintenance shall be made available for obligation
 15 until September 30, 1996: ~~Provided, That of the funds ap-~~
 16 ~~propriated in this paragraph, \$100,300,000 shall not be~~
 17 ~~obligated or expended until authorized by law.~~

18 OPERATION AND MAINTENANCE, AIR FORCE

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses, not otherwise provided for, necessary
 21 for the operation and maintenance of the Air Force, as
 22 authorized by law; and not to exceed \$8,762,000 can be
 23 used for emergencies and extraordinary expenses, to be ex-
 24 pended on the approval or authority of the Secretary of
 25 the Air Force, and payments may be made on his certifi-

1 cate of necessity for confidential military purposes;
 2 ~~(21)\$18,913,050,000~~ *\$18,786,243,000*~~(22)~~, of which
 3 ~~\$84,000,000~~ for real property maintenance shall be made
 4 available for obligation until September 30, 1996 and, in
 5 addition, \$50,000,000 shall be derived by transfer from
 6 the National Defense Stockpile Transaction Fund~~(23)~~:-
 7 *Provided, That of the funds appropriated in this para-*
 8 *graph, \$179,592,000 shall not be obligated or expended*
 9 *until authorized by law(24): Provided, That, of the*
 10 *amount appropriated under this paragraph, not less than*
 11 *\$8,000,000 shall be available only for the upgrading of the*
 12 *Air Force's Core Automated Maintenance System/Reliabil-*
 13 *ity and Maintainability Information System (CAMS/*
 14 *REMIS).*

15 OPERATION AND MAINTENANCE, DEFENSE-WIDE

16 ~~(25)~~ *(INCLUDING TRANSFER OF FUNDS)*

17 For expenses, not otherwise provided for, necessary
 18 for the operation and maintenance of activities and agen-
 19 cies of the Department of Defense (other than the military
 20 departments), as authorized by law; ~~(26)\$8,945,266,000~~
 21 *\$9,986,654,000 and, in addition, \$100,000,000 shall be de-*
 22 *rived by transfer from the National Defense Stockpile*
 23 *Transaction Fund, of which not to exceed \$25,000,000*
 24 *may be available for the CINC initiative fund account; and*
 25 *of which not to exceed \$23,768,000 can be used for emer-*

1 gencies and extraordinary expenses, to be expended on the
 2 approval or authority of the Secretary of Defense, and
 3 payments may be made on his certificate of necessity for
 4 confidential military purposes~~(27)~~: *Provided, That of the*
 5 *funds appropriated under this heading, \$20,000,000 shall*
 6 *be made available only for the repair and maintenance of*
 7 *federally owned education facilities located on military in-*
 8 *stallations.*

9 OPERATION AND MAINTENANCE, ARMY RESERVE

10 For expenses, not otherwise provided for, necessary
 11 for the operation and maintenance, including training, or-
 12 ganization, and administration, of the Army Reserve; re-
 13 pair of facilities and equipment; hire of passenger motor
 14 vehicles; travel and transportation; care of the dead; re-
 15 cruiting; procurement of services, supplies, and equip-
 16 ment; and communications; ~~(28)\$1,240,109,000~~
 17 ~~\$1,253,709,000~~~~(29)~~: *Provided further, That the Undersec-*
 18 *retary of Defense for Policy, shall, not later than October*
 19 *15, 1994, transmit, in unclassified and classified forms, the*
 20 *Rand Corporation Study, published on or about December*
 21 *1993, on The United States Role in Possible Middle East*
 22 *Peace Settlements to the congressional defense, intelligence*
 23 *and foreign affairs committees.*

1 OPERATION AND MAINTENANCE, NAVY RESERVE

2 For expenses, not otherwise provided for, necessary
 3 for the operation and maintenance, including training, or-
 4 ganization, and administration, of the Navy Reserve; re-
 5 pair of facilities and equipment; hire of passenger motor
 6 vehicles; travel and transportation; care of the dead; re-
 7 cruiting; procurement of services, supplies, and equip-
 8 ment; and communications; ~~(30)\$834,119,000~~
 9 ~~\$827,819,000(31):—Provided, That of the funds appro-~~
 10 ~~priated in this paragraph, \$6,300,000 shall not be obli-~~
 11 ~~gated or expended until authorized by law.~~

12 OPERATION AND MAINTENANCE, MARINE CORPS

13 RESERVE

14 For expenses, not otherwise provided for, necessary
 15 for the operation and maintenance, including training, or-
 16 ganization, and administration, of the Marine Corps Re-
 17 serve; repair of facilities and equipment; hire of passenger
 18 motor vehicles; travel and transportation; care of the dead;
 19 recruiting; procurement of services, supplies, and equip-
 20 ment; and communications; ~~(32)\$83,542,000~~
 21 ~~\$80,562,000(33):—Provided, That of the funds appro-~~
 22 ~~priated in this paragraph, \$2,080,000 shall not be obli-~~
 23 ~~gated or expended until authorized by law.~~

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For expenses, not otherwise provided for, necessary
 3 for the operation and maintenance, including training, or-
 4 ganization, and administration, of the Air Force Reserve;
 5 repair of facilities and equipment; hire of passenger motor
 6 vehicles; travel and transportation; care of the dead; re-
 7 cruiting; procurement of services, supplies, and equip-
 8 ment; and communications; ~~(34)~~\$1,486,805,000
 9 \$1,455,872,000~~(35)~~~~:-Provided, That of the funds appro-~~
 10 priated in this paragraph \$5,473,000 shall not be obli-
 11 gated or expended until authorized by law.

12 OPERATION AND MAINTENANCE, ARMY NATIONAL
 13 GUARD

14 For expenses of training, organizing, and administer-
 15 ing the Army National Guard, including medical and hos-
 16 pital treatment and related expenses in non-Federal hos-
 17 pitals; maintenance, operation, and repairs to structures
 18 and facilities; hire of passenger motor vehicles; personnel
 19 services in the National Guard Bureau; travel expenses
 20 (other than mileage), as authorized by law for Army per-
 21 sonnel on active duty, for Army National Guard division,
 22 regimental, and battalion commanders while inspecting
 23 units in compliance with National Guard Bureau regula-
 24 tions when specifically authorized by the Chief, National
 25 Guard Bureau; supplying and equipping the Army Na-

1 tional Guard as authorized by law; and expenses of repair,
2 modification, maintenance, and issue of supplies and
3 equipment (including aircraft); ~~(36)\$2,498,868,000~~
4 ~~\$2,442,135,000(37):~~~~Provided, That of the funds appro-~~
5 ~~priated in this paragraph, \$10,000,000 shall be made~~
6 ~~available only for a National Guard Outreach Program in~~
7 ~~the Los Angeles School District: Provided further, That~~
8 ~~of the funds appropriated in this paragraph, \$50,253,000~~
9 ~~shall not be obligated or expended until authorized by law.~~

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

11 For operation and maintenance of the Air National
12 Guard, including medical and hospital treatment and re-
13 lated expenses in non-Federal hospitals; maintenance, op-
14 eration, repair, and other necessary expenses of facilities
15 for the training and administration of the Air National
16 Guard, including repair of facilities, maintenance, oper-
17 ation, and modification of aircraft; transportation of
18 things; hire of passenger motor vehicles; supplies, mate-
19 rials, and equipment, as authorized by law for the Air Na-
20 tional Guard; and expenses incident to the maintenance
21 and use of supplies, materials, and equipment, including
22 such as may be furnished from stocks under the control
23 of agencies of the Department of Defense; travel expenses
24 (other than mileage) on the same basis as authorized by
25 law for Air National Guard personnel on active Federal

1 duty, for Air National Guard commanders while inspecting
 2 units in compliance with National Guard Bureau regula-
 3 tions when specifically authorized by the Chief, National
 4 Guard Bureau; ~~(38)\$2,797,978,000~~ \$2,780,178,000: *Pro-*
 5 *vided*, That of the funds appropriated under this heading,
 6 ~~(39)\$1,500,000~~ \$9,200,000 shall be made available only
 7 for the operation of Air National Guard C-130 operational
 8 support aircraft of the 159th Air National Guard Fighter
 9 Group~~(40)~~, *the 146th Airlift Wing, and the South Caro-*
 10 *lina Air National Guard 169th Fighter Group unit*~~(41)~~:-
 11 *Provided further*, ~~That of the funds appropriated in this~~
 12 ~~paragraph, \$17,800,000 shall not be obligated or ex-~~
 13 ~~pended until authorized by law.~~

14 NATIONAL BOARD FOR THE PROMOTION OF RIFLE
 15 PRACTICE, ARMY

16 For the necessary expenses and personnel services
 17 (other than pay and non-travel-related allowances of mem-
 18 bers of the Armed Forces of the United States, except for
 19 members of the reserve components thereof called or or-
 20 dered to active duty to provide support for the national
 21 matches) in accordance with law, for operation and main-
 22 tenance of rifle ranges; the instruction of citizens in
 23 marksmanship; the promotion of rifle practice; the conduct
 24 of the national matches; the sale of ammunition under the
 25 authority of title 10, United States Code, sections 4308

1 and 4311; the travel of rifle teams, military personnel, and
 2 individuals attending regional, national, and international
 3 competitions; and the payment to competitors at national
 4 matches under section 4312 of title 10, United States
 5 Code, of subsistence and travel allowances under section
 6 4313 of title 10, United States Code; not to exceed
 7 \$2,544,000.

8 COURT OF MILITARY APPEALS, DEFENSE

9 For salaries and expenses necessary for the United
 10 States Court of Military Appeals; \$6,126,000, of which
 11 not to exceed \$2,500 can be used for official representa-
 12 tion purposes.

13 ENVIRONMENTAL RESTORATION, DEFENSE

14 (INCLUDING TRANSFER OF FUNDS)

15 For the Department of Defense;
 16 ~~(42)\$1,880,200,000~~ \$2,034,075,000, to remain available
 17 until transferred: *Provided*, That the Secretary of Defense
 18 shall, upon determining that such funds are required for
 19 environmental restoration, reduction and recycling of haz-
 20 ardous waste, removal of unsafe buildings and debris of
 21 the Department of Defense, or for similar purposes (in-
 22 cluding programs and operations at sites formerly used
 23 by the Department of Defense), transfer the funds made
 24 available by this appropriation to other appropriations
 25 made available to the Department of Defense as the Sec-

1 retary may designate, to be merged with and to be avail-
 2 able for the same purposes and for the same time period
 3 as the appropriations of funds to which transferred: *Pro-*
 4 *vided further*, That upon a determination that all or part
 5 of the funds transferred from this appropriation are not
 6 necessary for the purposes provided herein, such amounts
 7 may be transferred back to this appropriation.

8 **(43)SUPPORT FOR INTERNATIONAL SPORTING**
 9 **COMPETITIONS, DEFENSE**

10 For the account "Support for International Sporting
 11 Competitions, Defense"; \$7,900,000, to be merged with
 12 and to be available for the same purposes and the same
 13 time period as that appropriation: *Provided*, That of the
 14 funds in that appropriation not more than \$1,500,000
 15 may be used for the 1995 Special Olympics: *Provided fur-*
 16 *ther*, That of the funds in that appropriation not more
 17 than \$4,400,000 may be used for the 1996 Paralympics:
 18 *Provided further*, That funds appropriated in this para-
 19 graph shall not be obligated or expended until authorized
 20 by law.

21 *SUMMER OLYMPICS*

22 *For logistical support and personnel services (other*
 23 *than pay and non-travel-related allowances of members of*
 24 *the Armed Forces of the United States, except for members*
 25 *of the reserve components thereof called or ordered to active*

1 *duty to provide support for the 1996 Games of the XXVI*
 2 *Olympiad to be held in Atlanta, Georgia) provided by any*
 3 *component of the Department of Defense to the 1996 Games*
 4 *of the XXVI Olympiad; \$10,000,000.*

5 *1995 SPECIAL OLYMPICS WORLD GAMES*

6 *For logistical support and personnel services (other*
 7 *than pay and non-travel-related allowances of members of*
 8 *the Armed Forces of the United States, except for members*
 9 *of the reserve components thereof called or ordered to active*
 10 *duty to provide support for the 1995 Special Olympics*
 11 *World Games to be held in New Haven, Connecticut) pro-*
 12 *vided by any component of the Department of Defense to*
 13 *the 1995 Special Olympics World Games; \$3,000,000.*

14 HUMANITARIAN ASSISTANCE

15 For transportation for humanitarian relief for the
 16 people of Afghanistan, the Kurdish population and other
 17 minorities of northern Iraq, and the people of sub-Saharan
 18 Africa, acquisition and shipment of transportation assets
 19 to assist in the distribution of such relief, and for trans-
 20 portation and distribution of humanitarian relief supplies,
 21 and excess non-lethal property; ~~(44)\$60,000,000~~
 22 *\$71,900,000* of which ~~(45)\$12,000,000~~ *\$10,000,000* shall
 23 be made available only for activities to support the clear-
 24 ing of landmines for humanitarian purposes.

1 **(46)** *FORMER SOVIET UNION THREAT REDUCTION*

2 *For assistance to the republics of the former Soviet*
3 *Union, including assistance provided by contract or by*
4 *grants, for facilitating the elimination and the safe and se-*
5 *cure transportation and storage of nuclear, chemical and*
6 *other weapons; for providing incentives for demilitariza-*
7 *tion; for establishing programs to prevent the proliferation*
8 *of weapons, weapons components, and weapons-related tech-*
9 *nology and expertise; for expansion of military-to-military*
10 *contacts; for supporting the conversion of military tech-*
11 *nologies and capabilities into civilian activities; and for re-*
12 *training military personnel of the former Soviet Union;*
13 *\$400,000,000 to remain available until expended: Provided,*
14 *That of the funds appropriated under this heading,*
15 *\$10,000,000 shall be made available only for the continuing*
16 *study, assessment, and identification of nuclear waste dis-*
17 *posal by the former Soviet Union in the Arctic and North*
18 *Pacific regions.*

19 **(47)** *REAL PROPERTY MAINTENANCE, DEFENSE*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For the maintenance of real property of the Depart-*
22 *ment of Defense, in addition to amounts provided for this*
23 *purpose under other headings of this title of this Act,*
24 *\$500,000,000 to remain available for obligation until July*
25 *1, 1995: Provided, That such funds shall be available only*

1 *for repairing property which has been defined by the De-*
 2 *partment of Defense as part of a backlog of maintenance*
 3 *and repair projects in the justification material accom-*
 4 *panying the President's budget request for fiscal year 1995:*
 5 *Provided further, That such funds shall be allocated by the*
 6 *Comptroller, Department of Defense for the projects deter-*
 7 *mined by the military components as the highest priority*
 8 *for repair.*

9 TITLE III

10 PROCUREMENT

11 AIRCRAFT PROCUREMENT, ARMY

12 For construction, procurement, production, modifica-
 13 tion, and modernization of aircraft, equipment, including
 14 ordnance, ground handling equipment, spare parts, and
 15 accessories therefor; specialized equipment and training
 16 devices; expansion of public and private plants, including
 17 the land necessary therefor, for the foregoing purposes,
 18 and such lands and interest therein, may be acquired, and
 19 construction prosecuted thereon prior to approval of title;
 20 and procurement and installation of equipment, appli-
 21 ances, and machine tools in public and private plants; re-
 22 serve plant and Government and contractor-owned equip-
 23 ment layaway; and other expenses necessary for the fore-
 24 going purposes; ~~(48)\$1,264,198,000~~ \$1,062,581,000, to
 25 remain available for obligation until September 30,

1 1997(49): *Provided, That the Secretary of the Army will*
 2 *report to the House and Senate Committees on Appropria-*
 3 *tions the doctrine, organization and mission statement for*
 4 *the High Capacity Air Ambulance concept not later than*
 5 *May 15, 1995.*

6 MISSILE PROCUREMENT, ARMY

7 For construction, procurement, production, modifica-
 8 tion, and modernization of missiles, equipment, including
 9 ordnance, ground handling equipment, spare parts, and
 10 accessories therefor; specialized equipment and training
 11 devices; expansion of public and private plants, including
 12 the land necessary therefor, for the foregoing purposes,
 13 and such lands and interests therein, may be acquired,
 14 and construction prosecuted thereon prior to approval of
 15 title; and procurement and installation of equipment, ap-
 16 pliances, and machine tools in public and private plants;
 17 reserve plant and Government and contractor-owned
 18 equipment layaway; and other expenses necessary for the
 19 foregoing purposes; ~~(50)\$728,095,000~~ \$707,895,000, to
 20 remain available for obligation until September 30,
 21 1997(51):~~Provided, That of the funds appropriated in~~
 22 ~~this paragraph, \$42,959,000 shall not be obligated or ex-~~
 23 ~~pended until authorized by law.~~

1 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
 2 VEHICLES, ARMY

3 For construction, procurement, production, and
 4 modification of weapons and tracked combat vehicles,
 5 equipment, including ordnance, spare parts, and acces-
 6 sories therefor; specialized equipment and training devices;
 7 expansion of public and private plants, including the land
 8 necessary therefor, for the foregoing purposes, and such
 9 lands and interests therein, may be acquired, and con-
 10 struction prosecuted thereon prior to approval of title; and
 11 procurement and installation of equipment, appliances,
 12 and machine tools in public and private plants; reserve
 13 plant and Government and contractor-owned equipment
 14 layaway; and other expenses necessary for the foregoing
 15 purposes; ~~(52)\$1,001,873,000~~ \$1,129,514,000, to remain
 16 available for obligation until September 30, 1997~~(53)~~:-
 17 *Provided, That of the funds appropriated in this para-*
 18 *graph, \$58,987,000 shall not be obligated or expended*
 19 *until authorized by law.*

20 PROCUREMENT OF AMMUNITION, ARMY

21 For construction, procurement, production, and
 22 modification of ammunition, and accessories therefor; spe-
 23 cialized equipment and training devices; expansion of pub-
 24 lic and private plants, including ammunition facilities au-
 25 thorized by section 2854, title 10, United States Code, and

1 the land necessary therefor, for the foregoing purposes,
 2 and such lands and interests therein, may be acquired,
 3 and construction prosecuted thereon prior to approval of
 4 title; and procurement and installation of equipment, ap-
 5 pliances, and machine tools in public and private plants;
 6 reserve plant and Government and contractor-owned
 7 equipment layaway; and other expenses necessary for the
 8 foregoing purposes; ~~(54)\$1,274,644,000~~ \$877,761,000, to
 9 remain available for obligation until September 30, 1997:
 10 *Provided*, That of the amounts appropriated for the
 11 ARMS program in “Procurement of Ammunition, Army,
 12 1993/1995”, \$43,000,000 may be available to fund sub-
 13 sidy costs of loan guarantees authorized to be made under
 14 that program~~(55):—Provided further, That of the funds~~
 15 ~~appropriated in this paragraph, \$419,761,000 shall not be~~
 16 ~~obligated or expended until authorized by law~~(56): *Pro-*
 17 *vided further, That notwithstanding any other provision of*
 18 *law, of the amounts appropriated for the ARMS program*
 19 *in “Procurement of Ammunition, Army, 1993/1995”, up to*
 20 *\$2,500,000 shall be made available to the William Langer*
 21 *Plant for capital investment, operations, and such other ex-*
 22 *penditures as may be necessary to maintain the Plant as*
 23 *a going concern while it is being excessed under the provi-*
 24 *sions of the Federal Property and Administrative Services*
 25 *Act.*

1 OTHER PROCUREMENT, ARMY

2 For construction, procurement, production, and
3 modification of vehicles, including tactical, support, and
4 nontracked combat vehicles; communications and elec-
5 tronic equipment; other support equipment; spare parts,
6 ordnance, and accessories therefor; specialized equipment
7 and training devices; expansion of public and private
8 plants, including the land necessary therefor, for the fore-
9 going purposes, and such lands and interests therein, may
10 be acquired, and construction prosecuted thereon prior to
11 approval of title; and procurement and installation of
12 equipment, appliances, and machine tools in public and
13 private plants; reserve plant and Government and contrac-
14 tor-owned equipment layaway; and other expenses nec-
15 essary for the foregoing purposes; ~~(57)\$2,348,806,000~~
16 \$2,646,048,000, to remain available for obligation until
17 September 30, 1997.

18 AIRCRAFT PROCUREMENT, NAVY

19 For construction, procurement, production, modifica-
20 tion, and modernization of aircraft, equipment, including
21 ordnance, spare parts, and accessories therefor; specialized
22 equipment; expansion of public and private plants, includ-
23 ing the land necessary therefor, and such lands and inter-
24 ests therein, may be acquired, and construction prosecuted
25 thereon prior to approval of title; and procurement and

1 installation of equipment, appliances, and machine tools
 2 in public and private plants; reserve plant and Govern-
 3 ment and contractor-owned equipment layaway;
 4 ~~(58)\$4,820,442,000~~ \$4,531,789,000, to remain available
 5 for obligation until September 30, 1997~~(59):—~~*Provided,*
 6 ~~That of the funds appropriated in this paragraph,~~
 7 ~~\$232,435,000 shall not be obligated or expended until au-~~
 8 ~~thorized by law.~~

9 WEAPONS PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
 11 tion, and modernization of missiles, torpedoes, other weap-
 12 ons, and related support equipment including spare parts,
 13 and accessories therefor; expansion of public and private
 14 plants, including the land necessary therefor, and such
 15 lands and interests therein, may be acquired, and con-
 16 struction prosecuted thereon prior to approval of title; and
 17 procurement and installation of equipment, appliances,
 18 and machine tools in public and private plants; reserve
 19 plant and Government and contractor-owned equipment
 20 layaway; ~~(60)\$1,969,336,000~~ \$1,858,200,000, to remain
 21 available for obligation until September 30, 1997~~(61):—~~
 22 ~~Provided, That of the funds appropriated in this para-~~
 23 ~~graph, \$70,458,000 shall not be obligated or expended~~
 24 ~~until authorized by law: Provided, That, in addition to the~~
 25 ~~foregoing purposes, funds appropriated under this heading~~

1 *shall be available to liquidate deficiencies in appropriations*
 2 *provided under this heading in prior Department of De-*
 3 *fense appropriations Acts without regard to any provision*
 4 *of law limiting or restricting amounts which may be*
 5 *charged to currently available appropriations with respect*
 6 *to funds provided in prior appropriations Acts.*

7 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
 8 CORPS

9 For construction, procurement, production, and
 10 modification of ammunition, and accessories therefor; spe-
 11 cialized equipment and training devices; expansion of pub-
 12 lic and private plants, including ammunition facilities au-
 13 thorized by section 2854, title 10, United States Code, and
 14 the land necessary therefor, for the foregoing purposes,
 15 and such lands and interests therein, may be acquired,
 16 and construction prosecuted thereon prior to approval of
 17 title; and procurement and installation of equipment, ap-
 18 pliances, and machine tools in public and private plants;
 19 reserve plant and Government and contractor-owned
 20 equipment layaway; and other expenses necessary for the
 21 foregoing purposes; ~~(62)~~as follows:

22 For the Navy, \$335,368,000;

23 For the Marine Corps, \$158,442,000;

24 ~~In all: \$493,810,000~~ \$432,815,000, to remain available for
 25 obligation until September 30, 1997~~(63):—Provided, That~~

1 of the funds appropriated in this paragraph, \$34,500,000
 2 shall not be obligated or expended until authorized by law.

3 SHIPBUILDING AND CONVERSION, NAVY

4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses necessary for the construction, acqui-
 6 sition, or conversion of vessels as authorized by law, includ-
 7 ing armor and armament thereof, plant equipment, appli-
 8 cances, and machine tools and installation thereof in public
 9 and private plants; reserve plant and Government and con-
 10 tractor-owned equipment layaway; procurement of critical,
 11 long leadtime components and designs for vessels to be
 12 constructed or converted in the future; and expansion of
 13 public and private plants, including land necessary there-
 14 for, and such lands and interests therein, may be acquired,
 15 and construction prosecuted thereon prior to approval of
 16 title, as follows:

17 Carrier replacement program,

18 ~~(64)\$2,446,958,000~~ \$2,284,925,000;

19 ~~(65)~~CVN Refuelings, \$38,328,000;

20 DDG-51 destroyer program,

21 ~~(66)\$2,607,690,000~~ \$2,660,690,000;

22 LHD-1 amphibious assault ship program,

23 \$50,000,000~~(67)~~: *Provided, That such funds shall*
 24 *not be obligated or expended until such time that*
 25 *there are sufficient funds made available for the LHD*

1 *ship program to execute an existing contract option*
 2 *or any extension thereto for LHD-7: Provided fur-*
 3 *ther, That such funds shall not be transferred, repro-*
 4 *grammed, or used for any purpose other than the*
 5 *LHD ship program: Provided further, That such*
 6 *funds shall remain available for obligation until ex-*
 7 *pended: Provided further, That the Secretary of the*
 8 *Navy shall extend this existing contract option for the*
 9 *LHD-7 ship for not less than one year and shall ne-*
 10 *gotiate any change in option price made necessary by*
 11 *such extension;*

12 ~~(68)~~ **Nuclear submarine main steam condenser**
 13 **industrial base, \$1,000,000;**

14 **Cost growth on prior years' programs,**
 15 **\$8,200,000;**

16 **For craft, outfitting, post delivery,**
 17 ~~(69)~~ **conversions, and first destination transpor-**
 18 **tation, (70) \$357,521,000 \$349,031,000;**

19 ~~(71)~~ **For escalation, \$146,000,000;**

20 **In all: (72) \$5,471,369,000 \$5,528,974,000, and, in addi-**
 21 **tion, \$1,200,000,000 shall be derived by transfer from the**
 22 **National Defense Sealift Fund for additional funding for**
 23 **the Carrier replacement program, all to remain available**
 24 **for obligation until September 30, 1999: *Provided, That***
 25 **additional obligations may be incurred after September**

1 30, 1999, for engineering services, tests, evaluations, and
 2 other such budgeted work that must be performed in the
 3 final stage of ship construction: *Provided further*, That
 4 none of the funds herein provided for the construction or
 5 conversion of any naval vessel to be constructed in ship-
 6 yards in the United States shall be expended in foreign
 7 facilities for the construction of major components of such
 8 vessel: *Provided further*, That none of the funds herein
 9 provided shall be used for the construction of any naval
 10 vessel in foreign shipyards.

11 OTHER PROCUREMENT, NAVY

12 For procurement, production, and modernization of
 13 support equipment and materials not otherwise provided
 14 for, Navy ordnance (except ordnance for new aircraft, new
 15 ships, and ships authorized for conversion); the purchase
 16 of not to exceed 262 passenger motor vehicles, of which
 17 162 shall be for replacement only; expansion of public and
 18 private plants, including the land necessary therefor, and
 19 such lands and interests therein, may be acquired, and
 20 construction prosecuted thereon prior to approval of title;
 21 and procurement and installation of equipment, appli-
 22 ances, and machine tools in public and private plants; re-
 23 serve plant and Government and contractor-owned equip-
 24 ment layaway; ~~(73)\$3,271,088,000~~ \$3,309,698,000, to re-
 25 main available for obligation until September 30,

1 1997~~(74)~~: *Provided, That of the funds appropriated in*
 2 *this paragraph, \$29,477,000 shall not be obligated or ex-*
 3 *pende*~~d until authorized by law~~~~(75)~~: *Provided, That of the*
 4 *funds appropriated in this paragraph, up to \$10,500,000*
 5 *may be used for the procurement of command, control, com-*
 6 *munications, and computer equipment for a Joint Train-*
 7 *ing, Analysis and Simulation Center for the United States*
 8 *Atlantic Command*~~(76)~~: *Provided, That of the funds ap-*
 9 *propriated under this heading, not less than \$30,100,000*
 10 *shall be made available only for the Pacific Missile Range*
 11 *Facility, Hawaii.*

12 PROCUREMENT, MARINE CORPS

13 For expenses necessary for the procurement, manu-
 14 facture, and modification of missiles, armament, military
 15 equipment, spare parts, and accessories therefor; plant
 16 equipment, appliances, and machine tools, and installation
 17 thereof in public and private plants; reserve plant and
 18 Government and contractor-owned equipment layaway; ve-
 19 hicles for the Marine Corps, including the purchase of not
 20 to exceed 103 passenger motor vehicles for replacement
 21 only; and expansion of public and private plants, including
 22 land necessary therefor, and such lands and interests
 23 therein, may be acquired and construction prosecuted
 24 thereon prior to approval of title; ~~(77)~~~~\$452,178,000~~
 25 *\$403,410,000*, to remain available for obligation until Sep-

1 tember 30, 1997~~(78)~~: *Provided*, That of the funds appro-
 2 priated in this paragraph, \$58,768,000 shall not be obli-
 3 gated or expended until authorized by law.

4 AIRCRAFT PROCUREMENT, AIR FORCE

5 For construction, procurement, and modification of
 6 aircraft and equipment, including armor and armament,
 7 specialized ground handling equipment, and training de-
 8 vices, spare parts, and accessories therefor; specialized
 9 equipment; expansion of public and private plants, Gov-
 10 ernment-owned equipment and installation thereof in such
 11 plants, erection of structures, and acquisition of land, for
 12 the foregoing purposes, and such lands and interests
 13 therein, may be acquired, and construction prosecuted
 14 thereon prior to approval of title; reserve plant and Gov-
 15 ernment and contractor-owned equipment layaway; and
 16 other expenses necessary for the foregoing purposes in-
 17 cluding rents and transportation of things;
 18 ~~(79)\$6,182,199,000~~ \$6,571,524,000, to remain available
 19 for obligation until September 30, 1997~~(80)~~: *Provided*,
 20 That not less than \$103,700,000 of the funds appro-
 21 priated in this paragraph shall be used only to initiate pro-
 22 curement of non-developmental airlift aircraft no later
 23 than September 30, 1995: *Provided further*, That the De-
 24 partment of the Air Force shall qualify a second source
 25 producer for the C-17 transport aircraft engine and com-

1 petively contract for the procurement of the C-17 engine
 2 no later than September 30, 1997: *Provided further, That*
 3 of the funds appropriated in this paragraph, \$80,432,000
 4 shall not be obligated or expended until authorized by law.

5 MISSILE PROCUREMENT, AIR FORCE

6 For construction, procurement, and modification of
 7 missiles, spacecraft, rockets, and related equipment, in-
 8 cluding spare parts and accessories therefor, ground han-
 9 dling equipment, and training devices; expansion of public
 10 and private plants, Government-owned equipment and in-
 11 stallation thereof in such plants, erection of structures,
 12 and acquisition of land, for the foregoing purposes, and
 13 such lands and interests therein, may be acquired, and
 14 construction prosecuted thereon prior to approval of title;
 15 reserve plant and Government and contractor-owned
 16 equipment layaway; and other expenses necessary for the
 17 foregoing purposes including rents and transportation of
 18 things; ~~(81)\$2,758,285,000~~ \$3,620,055,000, to remain
 19 available for obligation until September 30, 1997.

20 PROCUREMENT OF AMMUNITION, AIR FORCE

21 For construction, procurement, production, and
 22 modification of ammunition, and accessories therefor; spe-
 23 cialized equipment and training devices; expansion of pub-
 24 lic and private plants, including ammunition facilities au-
 25 thorized by section 2854, title 10, United States Code, and

1 the land necessary therefor, for the foregoing purposes,
 2 and such lands and interests therein, may be acquired,
 3 and construction prosecuted thereon prior to approval of
 4 title; and procurement and installation of equipment, ap-
 5 pliances, and machine tools in public and private plants;
 6 reserve plant and Government and contractor-owned
 7 equipment layaway; and other expenses necessary for the
 8 foregoing purposes; ~~(82)\$278,681,000~~ \$283,173,000, to
 9 remain available for obligation until September 30,
 10 1997~~(83):~~*Provided*, That of the funds appropriated in
 11 this paragraph, \$18,963,000 shall not be obligated or ex-
 12 pended until authorized by law.

13 OTHER PROCUREMENT, AIR FORCE

14 For procurement and modification of equipment (in-
 15 cluding ground guidance and electronic control equipment,
 16 and ground electronic and communication equipment),
 17 and supplies, materials, and spare parts therefor, not oth-
 18 erwise provided for; the purchase of not to exceed 678 pas-
 19 senger motor vehicles for replacement only; and expansion
 20 of public and private plants, Government-owned equip-
 21 ment and installation thereof in such plants, erection of
 22 structures, and acquisition of land, for the foregoing pur-
 23 poses, and such lands and interests therein, may be ac-
 24 quired, and construction prosecuted thereon, prior to ap-
 25 proval of title; reserve plant and Government and contrac-

1 tor-owned equipment layaway; \$6,886,613,000
 2 ~~(84)~~\$6,897,696,000, to remain available for obligation
 3 until September 30, 1997~~(85)~~:~~Provided, That of the~~
 4 ~~funds appropriated in this paragraph, \$31,190,000 shall~~
 5 ~~not be obligated or expended until authorized by law.~~

6 PROCUREMENT, DEFENSE-WIDE

7 For expenses of activities and agencies of the Depart-
 8 ment of Defense (other than the military departments)
 9 necessary for procurement, production, and modification
 10 of equipment, supplies, materials, and spare parts there-
 11 for, not otherwise provided for; the purchase of not to ex-
 12 ceed 437 passenger motor vehicles, of which 431 shall be
 13 for replacement only; expansion of public and private
 14 plants, equipment, and installation thereof in such plants,
 15 erection of structures, and acquisition of land for the fore-
 16 going purposes, and such lands and interests therein, may
 17 be acquired, and construction prosecuted thereon prior to
 18 approval of title; reserve plant and Government and con-
 19 tractor-owned equipment layaway; ~~(86)~~\$3,020,616,000
 20 \$1,894,916,000, to remain available for obligation until
 21 September 30, 1997~~(87)~~:~~Provided, That of the funds ap-~~
 22 ~~propriated in this paragraph, \$953,922,000 shall not be~~
 23 ~~obligated or expended until authorized by law~~~~(88)~~: *Pro-*
 24 *vided, That of the amount appropriated in this paragraph,*
 25 *\$7,000,000 shall be made available only for the procurement*

1 *of the Common Automatic Recovery System for the Pioneer*
 2 *Unmanned Aerial Vehicle System.*

3 NATIONAL GUARD AND RESERVE EQUIPMENT

4 For procurement of aircraft, missiles, tracked combat
 5 vehicles, ammunition, other weapons, and other procure-
 6 ment for the reserve components of the Armed Forces;
 7 ~~(89)\$796,200,000~~ \$952,000,000, to remain available for
 8 obligation until September 30, 1997~~(90):~~ ~~Provided, That~~
 9 ~~of the funds appropriated in this paragraph, \$9,000,000~~
 10 ~~shall not be obligated or expended until authorized by law.~~

11 TITLE IV

12 RESEARCH, DEVELOPMENT, TEST AND
 13 EVALUATION

14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 15 ARMY

16 For expenses necessary for basic and applied sci-
 17 entific research, development, test and evaluation, includ-
 18 ing maintenance, rehabilitation, lease, and operation of fa-
 19 cilities and equipment, as authorized by law;
 20 ~~(91)\$5,456,498,000~~ \$5,304,329,000, to remain available
 21 for obligation until September 30, 1996~~(92):~~ ~~Provided,~~
 22 ~~That of the funds appropriated in this paragraph,~~
 23 ~~\$35,695,000 shall not be obligated or expended until au-~~
 24 ~~thorized by law.~~

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, as authorized by law;
7 ~~(93)\$8,598,958,000~~ \$8,790,331,000, to remain available
8 for obligation until September 30, 1996~~(94):~~ *Provided,*
9 ~~That for continued research and development programs at~~
10 ~~the National Center for Physical Acoustics, centering on~~
11 ~~ocean acoustics as it applies to advanced antisubmarine~~
12 ~~warfare acoustics issues with focus on ocean bottom acous-~~
13 ~~tics, seismic coupling, sea-surface and bottom scattering,~~
14 ~~oceanic ambient noise, underwater sound propagation,~~
15 ~~bubble related ambient noise, acoustically active surfaces,~~
16 ~~machinery noise, propagation physics, solid state acous-~~
17 ~~tics, electrorheological fluids, transducer development, ul-~~
18 ~~trasonic sensors, and other such projects as may be agreed~~
19 ~~upon, \$1,000,000 shall be made available, as a grant, to~~
20 ~~the Mississippi Resource Development Corporation, of~~
21 ~~which not to exceed \$250,000 of such sum may be used~~
22 ~~to provide such special equipment as may be required for~~
23 ~~particular projects: *Provided further,* That none of the~~
24 ~~funds appropriated in this paragraph may be obligated or~~
25 ~~expended to develop or purchase equipment for an Aegis~~

1 destroyer variant (commonly known as “Flight IIA”)
2 whose initial operating capability is budgeted to be
3 achieved prior to the initial operating capability of the
4 Ship Self-Defense program, nor to develop sensor, proc-
5 essor, or display capabilities which duplicate in any way
6 those being developed in the Ship Self-Defense program:
7 *Provided further,* That funds appropriated in this para-
8 graph for development of E-2C aircraft upgrades may not
9 be obligated until the Under Secretary of Defense for Ac-
10 quisition submits a plan to the Committees on Appropria-
11 tions and Armed Services of each House of Congress for
12 development and deployment of a fully participating coop-
13 erative engagement capability on E-2 aircraft to be fielded
14 concurrent with and no later than major computer up-
15 grades for the aircraft: *Provided further,* That funds ap-
16 propriated in this paragraph for development of the LPD-
17 17 ship may not be obligated unless the baseline design
18 of the ship includes cooperative engagement capability and
19 sufficient own-ship self-defense capability against ad-
20 vanced sea-skimming antiship cruise missiles in the base-
21 line design to achieve an estimated probability of survival
22 from attack by such missiles at a level no less than any
23 other Navy ship(95): *Provided further,* That of the amount
24 of funds appropriated under this paragraph to be allocated
25 to the aircraft technology program element, \$5,000,000 of

1 *this amount may only be obligated for the completion of*
 2 *Phase I of the Vectored Thrust Combat Agility Demonstra-*
 3 *tor.*

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 5 AIR FORCE

6 For expenses necessary for basic and applied sci-
 7 entific research, development, test and evaluation, includ-
 8 ing maintenance, rehabilitation, lease, and operation of fa-
 9 cilities and equipment, as authorized by law;
 10 ~~(96)\$10,728,533,000~~ *\$12,151,011,000*, to remain avail-
 11 able for obligation until September 30, 1996~~(97):~~~~*Pro-*~~
 12 ~~*vided*~~, That not less than \$12,000,000 of the funds appro-
 13 priated in this paragraph shall be made only for the Joint
 14 Seismic Program and Global Seismic Network adminis-
 15 tered by the Incorporated Research Institutions for Seis-
 16 mology: *Provided further*, That not less than \$20,000,000
 17 of the funds appropriated in this paragraph shall be made
 18 available only for the National Center for Manufacturing
 19 Sciences ~~(NCMS)~~: *Provided*, That of the funds appro-
 20 priated in this paragraph, not less than \$13,000,000 of the
 21 funds in the Advanced Weapons program element shall be
 22 made available only to continue the establishment and oper-
 23 ation of an image information processing center supporting
 24 the Air Force Maui Space Surveillance Site (MSSS)~~(98)~~:
 25 *Provided further*, That of the funds appropriated in this

1 *paragraph, \$2,800,000 shall be made available only for the*
 2 *F-111 Squadrons program element.*

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 4 DEFENSE-WIDE

5 **(99)** *(INCLUDING TRANSFER OF FUNDS)*

6 For expenses of activities and agencies of the Depart-
 7 ment of Defense (other than the military departments),
 8 necessary for basic and applied scientific research, devel-
 9 opment, test and evaluation; advanced research projects
 10 as may be designated and determined by the Secretary
 11 of Defense, pursuant to law; maintenance, rehabilitation,
 12 lease, and operation of facilities and equipment, as author-
 13 ized by law; ~~(100)\$9,419,955,000~~ *\$8,922,649,000*, to re-
 14 main available for obligation until September 30,
 15 1996~~(101):~~ *Provided, That not less than \$120,000,000*
 16 *of the funds appropriated in this paragraph are available*
 17 *only for the Sea-Based Wide Area Defense program: Pro-*
 18 *vided further, That of the funds appropriated in this para-*
 19 *graph, \$361,743,000 shall not be obligated or expended*
 20 *until authorized by law: Provided further, That funds ap-*
 21 *propriated in this paragraph for development of the TIER*
 22 *II Plus vehicle shall not be obligated until not less than*
 23 *\$50,000,000 has been obligated for the TIER III Minus*
 24 *vehicle: Provided, That \$27,400,000 shall be available for*
 25 *transfer to the Small Business Administration to cover the*

1 *costs (as defined in section 502(5) of the Federal Credit Re-*
 2 *form Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees*
 3 *issued pursuant to subsection (b)(3) of such section*~~(102)~~:
 4 *Provided further, That, of the funds made available under*
 5 *this heading, \$5,600,000 shall be made available for the In-*
 6 *tegrated Product and Process Development Program*~~(103)~~:
 7 *Provided further, That of the funds appropriated in this*
 8 *paragraph, not less than \$2,000,000 shall be made available*
 9 *for International Cooperative projects to be funded under*
 10 *the Counterterror Technical Support program element.*

11 DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

12 For expenses, not otherwise provided for, of inde-
 13 pendent activities of the Director, Test and Evaluation in
 14 the direction and supervision of developmental test and
 15 evaluation, including performance and joint developmental
 16 testing and evaluation; and administrative expenses in
 17 connection therewith; ~~(104)\$251,495,000~~ \$224,353,000,
 18 to remain available for obligation until September 30,
 19 1996.

20 OPERATIONAL TEST AND EVALUATION, DEFENSE

21 For expenses, not otherwise provided for, necessary
 22 for the independent activities of the Director, Operational
 23 Test and Evaluation in the direction and supervision of
 24 operational test and evaluation, including initial oper-
 25 ational test and evaluation which is conducted prior to,

1 and in support of, production decisions; joint operational
 2 testing and evaluation; and administrative expenses in
 3 connection therewith; \$12,501,000, to remain available for
 4 obligation until September 30, 1996.

5 TITLE V

6 REVOLVING AND MANAGEMENT FUNDS

7 DEFENSE BUSINESS OPERATIONS FUND

8 For the Defense Business Operations Fund;
 9 ~~(105)\$1,090,438,000~~ \$789,400,000.

10 NATIONAL DEFENSE SEALIFT FUND

11 ~~(106)~~(INCLUDING TRANSFER OF FUNDS)

12 For National Defense Sealift Fund programs,
 13 projects, and activities, ~~(107)\$858,600,000~~ \$828,600,000,
 14 to remain available until expended~~(108):—Provided, That~~
 15 ~~\$25,000,000~~ shall be transferred to the Secretary of
 16 Transportation for title XI loan guarantees: *Provided fur-*
 17 *ther,* That none of the funds provided in this paragraph
 18 shall be used to award a new contract that provides for
 19 the acquisition of any of the following major components
 20 unless such components are manufactured in the United
 21 States: auxiliary equipment, including pumps, for all ship-
 22 board services; propulsion system components (that is, en-
 23 gines, reduction gears, and propellers); shipboard cranes;
 24 and spreaders for shipboard cranes: *Provided further,* That
 25 the exercise of an option in a contract awarded through

1 the obligation of previously appropriated funds shall not
2 be considered to be the award of a new contract: *Provided*
3 ~~*further*~~; That the Secretary of the military department re-
4 sponsible for such procurement may waive this restriction
5 on a case-by-case basis by certifying in writing to the
6 Committees on Appropriations of the House of Represent-
7 atives and the Senate, that adequate domestic supplies are
8 not available to meet Department of Defense requirements
9 on a timely basis and that such an acquisition must be
10 made in order to acquire capability for national security
11 purposes: *Provided further*, That funds appropriated in
12 this paragraph shall not be obligated or expended until
13 authorized by law: *Provided*, That not to exceed
14 \$43,000,000 may be used for the purchase or construction
15 of vessels for the Ready Reserve Force component of the Na-
16 tional Defense Reserve Fleet, as established by section 11
17 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App.
18 1744)(109): *Provided further*, That the Secretary of De-
19 fense shall provide a recommendation for additional fund-
20 ing from the Department of Defense to finance shipbuilding
21 loan guarantees under title XI of the Merchant Marine Act
22 of 1936 (46 App. U.S.C. 1271).

1 TITLE VI
 2 OTHER DEPARTMENT OF DEFENSE PROGRAMS
 3 DEFENSE HEALTH PROGRAM

4 For expenses, not otherwise provided for, for medical
 5 and health care programs of the Department of Defense,
 6 as authorized by law; ~~(110)\$9,895,159,000~~
 7 ~~\$9,808,239,000~~, of which ~~(111)\$9,577,770,000~~
 8 ~~\$9,499,350,000~~ shall be for Operation and maintenance, of
 9 which ~~(112)\$317,389,000~~ ~~\$308,889,000~~, to remain avail-
 10 able for obligation until September 30, 1997, shall be for
 11 Procurement: *Provided*, That the Department shall con-
 12 tinue to competitively contract during fiscal year 1995 for
 13 mail service pharmacy for at least two multi-state regions
 14 in addition to the ongoing solicitations for Florida, South
 15 Carolina, Georgia, Delaware, New Jersey, Pennsylvania,
 16 and Hawaii, as well as each base closure area not sup-
 17 ported by an at-risk managed care plan; that such services
 18 shall be procured independent of any other Department
 19 managed care contracts; that one multi-state region shall
 20 include the State of Kentucky and that one multi-state
 21 region shall include the State of New Mexico ~~(113):~~ ~~*Pro-*~~
 22 ~~*vided further, That of the funds appropriated in this para-*~~
 23 ~~*graph, \$8,500,000 shall not be obligated or expended until*~~
 24 ~~*authorized by law: Provided further, That of the funds ap-*~~
 25 ~~*propriated under this heading, \$5,000,000 shall be made*~~

14 For expenses, not otherwise provided for, necessary
15 for the destruction of the United States stockpile of lethal
16 chemical agents and munitions in accordance with the pro-
17 visions of section 1412 of the Department of Defense Au-
18 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
19 struction of other chemical warfare materials that are not
20 in the chemical weapon stockpile, ~~(114)\$562,949,000~~
21 ~~\$590,149,000~~, of which ~~(115)\$345,784,000~~ *\$363,584,000*
22 shall be for Operation and maintenance,
23 ~~(116)\$196,465,000~~ *\$215,265,000* shall be for Procure-
24 ment to remain available until September 30, 1997, and
25 ~~(117)\$20,700,000~~ *\$11,300,000* shall be for Research, de-

1 velopment, test and evaluation to remain available until
2 September 30, 1996.

3 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
4 DEFENSE
5 (INCLUDING TRANSFER OF FUNDS)

6 For drug interdiction and counter-drug activities of
7 the Department of Defense, for transfer to appropriations
8 available to the Department of Defense for military per-
9 sonnel of the reserve components serving under the provi-
10 sions of title 10 and title 32, United States Code; for Op-
11 eration and maintenance; for Procurement; and for Re-
12 search, development, test and evaluation;
13 ~~“(118)\$713,053,000~~ \$700,100,000, of which \$10,000,000 is
14 hereby transferred to the “Military Construction, Navy” ap-
15 propriation for construction of a Relocatable Over-the-Hori-
16 zon Radar in Puerto Rico: *Provided*, That the funds appro-
17 priated by this paragraph shall be available for obligation
18 for the same time period and for the same purpose as the
19 appropriation to which transferred: *Provided further*, That
20 the transfer authority provided in this paragraph is in ad-
21 dition to any transfer authority contained elsewhere in this
22 Act.

23 OFFICE OF THE INSPECTOR GENERAL

24 For expenses and activities of the Office of the In-
25 spector General in carrying out the provisions of the In-

1 spector General Act of 1978, as amended;
 2 ~~“(119)\$142,098,000~~ *\$140,872,000*, of which
 3 ~~“(120)\$141,098,000~~ *\$139,872,000* shall be for Operation
 4 and maintenance, of which not to exceed \$400,000 is
 5 available for emergencies and extraordinary expenses to
 6 be expended on the approval or authority of the Inspector
 7 General, and payments may be made on his certificate of
 8 necessity for confidential military purposes; and of which
 9 \$1,000,000, to remain available until September 30, 1997,
 10 shall be for Procurement.

11 ~~“(121)DEFENSE CONVERSION AND REINVESTMENT~~

12 ~~(INCLUDING TRANSFER OF FUNDS)~~

13 For necessary expenses for transition benefits for
 14 military and civilian employees of the Department of De-
 15 fense, and for assistance to communities and industries
 16 affected by the military drawdown; for transfer to appro-
 17 priations available to the Department of Defense for Oper-
 18 ation and maintenance, and for Research, development,
 19 test and evaluation; ~~\$1,401,944,000: *Provided*, That the~~
 20 funds appropriated by this paragraph shall be available
 21 for the same time period and for the same purpose as the
 22 appropriation to which transferred: ~~*Provided further*, That~~
 23 the transfer authority provided in this paragraph is in ad-
 24 dition to any transfer authority contained elsewhere in this
 25 Act: ~~*Provided further*, That \$50,000,000 shall be available~~

1 to cover the costs (as defined in section 502(5) of the Fed-
 2 eral Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of
 3 loan guarantees issued pursuant to subsection (b)(3) of
 4 such section: *Provided further*, That of the funds appro-
 5 priated in this paragraph, \$30,744,000 shall not be obli-
 6 gated or expended until authorized by law.

7 **(122)KOREAN ENHANCED READINESS ACCOUNT**

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses to enhance the readiness of
 10 United States Forces to perform the mission assigned to
 11 United States Forces, Korea, \$250,000,000: *Provided*,
 12 That such funds may be transferred by the Secretary to
 13 appropriations made available to the Department of De-
 14 fense for Operation and maintenance, Procurement, and
 15 Research, development, test and evaluation: *Provided fur-*
 16 *ther*, That the funds appropriated by this paragraph shall
 17 be available for the same time period and for the same
 18 purpose as the appropriation to which transferred: *Pro-*
 19 *vided further*, That the transfer authority provided in this
 20 paragraph is in addition to any transfer authority con-
 21 tained elsewhere in this Act: *Provided further*, That of the
 22 funds appropriated by this paragraph, not less than
 23 \$55,000,000 shall be transferred to “Other procurement,
 24 Army”, and not less than \$15,000,000 shall be trans-
 25 ferred to “Research, development, test and evaluation, De-

1 ~~fense-Wide~~": *Provided further, That no funds made avail-*
 2 *able under this paragraph shall be obligated until 15 days*
 3 *after submission of a report by the Secretary to the House*
 4 *and Senate Committees on Appropriations explaining and*
 5 *justifying the proposed uses of such funds: Provided fur-*
 6 *ther, That funds appropriated in this paragraph shall not*
 7 *be obligated or expended until authorized by law.*

8 TITLE VII

9 (123) NATIONAL FOREIGN INTELLIGENCE

10 PROGRAM

11 RELATED AGENCIES

12 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

13 DISABILITY SYSTEM FUND

14 For payment to the Central Intelligence Agency Re-
 15 tirement and Disability System Fund, to maintain proper
 16 funding level for continuing the operation of the Central
 17 Intelligence Agency Retirement and Disability System;
 18 \$198,000,000.

19 (124) NATIONAL SECURITY EDUCATION TRUST FUND

20 *For the purposes of title VIII of Public Law 102-183,*
 21 *\$8,500,000 to be derived from the National Security Edu-*
 22 *cation Trust Fund, to remain available until expended.*

23 COMMUNITY MANAGEMENT ACCOUNT

24 For necessary expenses of the Community Manage-
 25 ment Account; (125) ~~\$83,084,000~~ \$105,084,000. *Provided,*

1 That of the funds appropriated in this paragraph, no more
2 than \$2,000,000 may be available for the purchase of in-
3 formation system upgrades at the Department of State
4 Bureau of Intelligence and Research.

5 **(126)** *KAHO'OLAWA ISLAND CONVEYANCE, REMEDIATION,*
6 *AND ENVIRONMENTAL RESTORATION TRUST FUND*
7 *For payment to the Kaho'olawe Island Conveyance,*
8 *Remediation, and Environmental Restoration Trust Fund,*
9 *as authorized by law, \$50,000,000 to remain available until*
10 *expended.*

11 TITLE VIII

12 GENERAL PROVISIONS

13 SEC. 8001. No part of any appropriation contained
14 in this Act shall be used for publicity or propaganda pur-
15 poses not authorized by the Congress.

16 SEC. 8002. During the current fiscal year, provisions
17 of law prohibiting the payment of compensation to, or em-
18 ployment of, any person not a citizen of the United States
19 shall not apply to personnel of the Department of Defense:
20 *Provided, That salary increases granted to direct and indi-*
21 *rect hire foreign national employees of the Department of*
22 *Defense funded by this Act shall not be at a rate in excess*
23 *of the percentage increase authorized by law for civilian*
24 *employees of the Department of Defense whose pay is*
25 *computed under the provisions of section 5332 of title 5,*

1 United States Code, or at a rate in excess of the percent-
2 age increase provided by the appropriate host nation to
3 its own employees, whichever is higher: *Provided further*,
4 That this section shall not apply to Department of De-
5 fense foreign service national employees serving at United
6 States diplomatic missions whose pay is set by the Depart-
7 ment of State under the Foreign Service Act of 1980: *Pro-*
8 *vided further*, That the limitations of this provision shall
9 not apply to foreign national employees of the Department
10 of Defense in the Republic of Turkey.

11 SEC. 8003. No part of any appropriation contained
12 in this Act shall remain available for obligation beyond
13 the current fiscal year, unless expressly so provided herein.

14 SEC. 8004. No more than 20 per centum of the ap-
15 propriations in this Act which are limited for obligation
16 during the current fiscal year shall be obligated during
17 the last two months of the fiscal year: *Provided*, That this
18 section shall not apply to obligations for support of active
19 duty training of reserve components or summer camp
20 training of the Reserve Officers' Training Corps, or the
21 National Board for the Promotion of Rifle Practice, Army.

22 (TRANSFER OF FUNDS)

23 SEC. 8005. Upon determination by the Secretary of
24 Defense that such action is necessary in the national inter-
25 est, he may, with the approval of the Office of Manage-
26 ment and Budget, transfer not to exceed \$2,000,000,000

1 of working capital funds of the Department of Defense
2 or funds made available in this Act to the Department
3 of Defense for military functions (except military con-
4 struction) between such appropriations or funds or any
5 subdivision thereof, to be merged with and to be available
6 for the same purposes, and for the same time period, as
7 the appropriation or fund to which transferred: *Provided*,
8 That such authority to transfer may not be used unless
9 for higher priority items, based on unforeseen military re-
10 quirements, than those for which originally appropriated
11 and in no case where the item for which funds are re-
12 quested has been denied by Congress: *Provided further*,
13 That the Secretary of Defense shall notify the Congress
14 promptly of all transfers made pursuant to this authority
15 or any other authority in this Act.

16 (TRANSFER OF FUNDS)

17 SEC. 8006. During the current fiscal year, cash bal-
18 ances in working capital funds of the Department of De-
19 fense established pursuant to section 2208 of title 10,
20 United States Code, may be maintained in only such
21 amounts as are necessary at any time for cash disburse-
22 ments to be made from such funds: *Provided*, That trans-
23 fers may be made between such funds and the “Foreign
24 Currency Fluctuations, Defense” and “Operation and
25 Maintenance” appropriation accounts in such amounts as
26 may be determined by the Secretary of Defense, with the

1 approval of the Office of Management and Budget, except
2 that such transfers may not be made unless the Secretary
3 of Defense has notified the Congress of the proposed
4 transfer. Except in amounts equal to the amounts appro-
5 priated to working capital funds in this Act, no obligations
6 may be made against a working capital fund to procure
7 or increase the value of war reserve material inventory,
8 unless the Secretary of Defense has notified the Congress
9 prior to any such obligation.

10 SEC. 8007. Using funds available by this Act or any
11 other Act, the Secretary of the Air Force, pursuant to a
12 determination under section 2690 of title 10, United
13 States Code, may implement cost-effective agreements for
14 required heating facility modernization in the
15 Kaiserslautern Military Community in the Federal Repub-
16 lic of Germany: *Provided*, That in the City of
17 Kaiserslautern such agreements will include the use of
18 United States anthracite as the base load energy for mu-
19 nicipal district heat to the United States Defense installa-
20 tions: *Provided further*, That at Landstuhl Army Regional
21 Medical Center and Ramstein Air Base, furnished heat
22 may be obtained from private, regional or municipal serv-
23 ices, if provisions are included for the consideration of
24 United States coal as an energy source.

1 SEC. 8008. Funds appropriated by this Act may not
2 be used to initiate a special access program without prior
3 notification 30 calendar days in session in advance to the
4 Committees on Appropriations and Armed Services of the
5 Senate and House of Representatives.

6 SEC. 8009. None of the funds contained in this Act
7 available for the Civilian Health and Medical Program of
8 the Uniformed Services shall be available for payments to
9 physicians and other authorized individual health care pro-
10 viders in excess of the amounts allowed in fiscal year 1994
11 for similar services, except that: (a) for services for which
12 the Secretary of Defense determines an increase is justi-
13 fied by economic circumstances, the allowable amounts
14 may be increased in accordance with appropriate economic
15 index data similar to that used pursuant to title XVIII
16 of the Social Security Act; and (b) for services the Sec-
17 retary determines are overpriced based on allowable pay-
18 ments under title XVIII of the Social Security Act, the
19 allowable amounts shall be reduced by not more than 15
20 percent (except that the reduction may be waived if the
21 Secretary determines that it would impair adequate access
22 to health care services for beneficiaries). The Secretary
23 shall solicit public comment prior to promulgating regula-
24 tions to implement this section. Such regulations shall in-
25 clude a limitation, similar to that used under title XVIII

1 of the Social Security Act, on the extent to which a pro-
2 vider may bill a beneficiary an actual charge in excess of
3 the allowable amount.

4 SEC. 8010. None of the funds provided in this Act
5 shall be available to initiate (1) a multiyear contract that
6 employs economic order quantity procurement in excess of
7 \$20,000,000 in any one year of the contract or that in-
8 cludes an unfunded contingent liability in excess of
9 \$20,000,000, or (2) a contract for advance procurement
10 leading to a multiyear contract that employs economic
11 order quantity procurement in excess of \$20,000,000 in
12 any one year, unless the Committees on Appropriations
13 and Armed Services of the Senate and House of Rep-
14 resentatives have been notified at least thirty days in ad-
15 vance of the proposed contract award: *Provided*, That no
16 part of any appropriation contained in this Act shall be
17 available to initiate a multiyear contract for which the eco-
18 nomic order quantity advance procurement is not funded
19 at least to the limits of the Government's liability: *Pro-*
20 *vided further*, That no part of any appropriation contained
21 in this Act shall be available to initiate multiyear procure-
22 ment contracts for any systems or component thereof if
23 the value of the multiyear contract would exceed
24 \$500,000,000 unless specifically provided in this Act: *Pro-*
25 *vided further*, That no multiyear procurement contract can

1 be terminated without 10-day prior notification to the
2 Committees on Appropriations and Armed Services of the
3 House of Representatives and the Senate: *Provided fur-*
4 *ther*, That the execution of multiyear authority shall re-
5 quire the use of a present value analysis to determine low-
6 est cost compared to an annual procurement(127) *Funds*
7 *appropriated in title III of this Act may be used for*
8 *multiyear procurement contracts as follows: MK19-3 gre-*
9 *nade machine guns; M16A2 rifles; M249 squad automatic*
10 *weapons; and M4 carbine rifles for the Army.*

11 SEC. 8011. Within the funds appropriated for the op-
12 eration and maintenance of the Armed Forces, funds are
13 hereby appropriated pursuant to section 401 of title 10,
14 United States Code, for humanitarian and civic assistance
15 costs under chapter 20 of title 10, United States Code.
16 Such funds may also be obligated for humanitarian and
17 civic assistance costs incidental to authorized operations
18 and pursuant to authority granted in section 401 of chap-
19 ter 20 of title 10, United States Code, and these obliga-
20 tions shall be reported to Congress on September 30 of
21 each year: *Provided*, That funds available for operation
22 and maintenance shall be available for providing humani-
23 tarian and similar assistance by using Civic Action Teams
24 in the Trust Territories of the Pacific Islands and freely
25 associated states of Micronesia, pursuant to the Compact

1 of Free Association as authorized by Public Law 99–
 2 239: *Provided further*, That upon a determination by the
 3 Secretary of the Army that such action is beneficial for
 4 graduate medical education programs conducted at Army
 5 medical facilities located in Hawaii, the Secretary of the
 6 Army may authorize the provision of medical services at
 7 such facilities and transportation to such facilities, on a
 8 nonreimbursable basis, for civilian patients from American
 9 Samoa, the Commonwealth of the Northern Mariana Is-
 10 lands, the Marshall Islands, the Federated States of Mi-
 11 cronesia, Palau, and Guam.

12 ~~(128)SEC. 8012. Notwithstanding any other provi-~~
 13 ~~sion of law, governments of Indian tribes shall be treated~~
 14 ~~as State and local governments for the purposes of disposi-~~
 15 ~~tion of real property recommended for closure in the re-~~
 16 ~~port of the Defense Secretary's Commission on Base~~
 17 ~~Realignments and Closures, December 1988, the report to~~
 18 ~~the President from the Defense Base Closure and Realign-~~
 19 ~~ment Commission, July 1991, and Public Law 100–526.~~

20 *SEC. 8012. Notwithstanding any other provision of*
 21 *law, a qualified Indian Tribal corporation or Alaska Native*
 22 *Corporation furnishing the product of a responsible small*
 23 *business concern shall not be denied the opportunity to com-*
 24 *pete for and be awarded a procurement contract pursuant*
 25 *to section 2323 of title 10, United States Code, solely be-*

1 *cause the Indian Tribal corporation or Alaska Native Cor-*
2 *poration is not the actual manufacturer or processor of the*
3 *product to be supplied under the contract.*

4 ~~(129)SEC. 8013.~~ (a) The provisions of section
5 115(a)(4) of title 10, United States Code, shall not apply
6 with respect to fiscal year 1995 or with respect to the ap-
7 propriation of funds for that year.

8 (b) During fiscal year 1995, the civilian personnel of
9 the Department of Defense may not be managed on the
10 basis of any end-strength, and the management of such
11 personnel during that fiscal year shall not be subject to
12 any constraint or limitation (known as an end-strength)
13 on the number of such personnel who may be employed
14 on the last day of such fiscal year.

15 (c) The fiscal year 1996 budget request for the De-
16 partment of Defense as well as all justification material
17 and other documentation supporting the fiscal year 1996
18 Department of Defense budget request shall be prepared
19 and submitted to the Congress as if subsections (a) and
20 (b) of this provision were effective with regard to fiscal
21 year 1996.

22 *SEC. 8013. Notwithstanding any other provision of*
23 *law, none of the funds made available by this Act shall be*
24 *used by the Department of Defense to exceed, outside the*
25 *fifty United States, its territories, and the District of Co-*

1 *lumbia, 125,000 civilian workyears: Provided, That*
2 *workyears shall be applied as defined in the Federal Person-*
3 *nel Manual: Provided further, That workyears expended in*
4 *dependent student hiring programs for disadvantaged*
5 *youths shall not be included in this workyear limitation.*

6 SEC. 8014. None of the funds made available by this
7 Act shall be used in any way, directly or indirectly, to in-
8 fluence congressional action on any legislation or appro-
9 priation matters pending before the Congress.

10 SEC. 8015. None of the funds appropriated by this
11 Act shall be obligated for the pay of any individual who
12 is initially employed after the date of enactment of this
13 Act as a technician in the administration and training of
14 the Army Reserve and the maintenance and repair of sup-
15 plies issued to the Army Reserve unless such individual
16 is also a military member of the Army Reserve troop pro-
17 gram unit that he or she is employed to support. Those
18 technicians employed by the Army Reserve in areas other
19 than Army Reserve troop program units need only be
20 members of the Selected Reserve.

21 SEC. 8016. Notwithstanding any other provision of
22 law, the Secretaries of the Army and Air Force may au-
23 thorize the retention in an active status until age sixty
24 of any person who would otherwise be removed from an
25 active status and who is employed as a National Guard

1 or Reserve technician in a position in which active status
2 in a reserve component of the Army or Air Force is re-
3 quired as a condition of that employment.

4 SEC. 8017. Notwithstanding any other provision of
5 law, during the current fiscal year ~~(130)~~and hereafter,
6 proceeds from the investment of the Fisher House Invest-
7 ment Trust Fund will be used to support the operation
8 and maintenance of Fisher Houses associated with Army
9 medical treatment facilities.

10 SEC. 8018. (a) None of the funds appropriated by
11 this Act shall be used to make contributions to the Depart-
12 ment of Defense Education Benefits Fund pursuant to
13 section 2006(g) of title 10, United States Code, represent-
14 ing the normal cost for future benefits under section
15 1415(c) of title 38, United States Code, for any member
16 of the armed services who, on or after the date of enact-
17 ment of this Act—

18 (1) enlists in the armed services for a period of
19 active duty of less than three years; or

20 (2) receives an enlistment bonus under section
21 308a or 308f of title 37, United States Code,

22 nor shall any amounts representing the normal cost of
23 such future benefits be transferred from the Fund by the
24 Secretary of the Treasury to the Secretary of Veterans
25 Affairs pursuant to section 2006(d) of title 10, United

1 States Code; nor shall the Secretary of Veterans Affairs
2 pay such benefits to any such member: *Provided*, That,
3 in the case of a member covered by clause (1), these limi-
4 tations shall not apply to members in combat arms skills
5 or to members who enlist in the armed services on or after
6 July 1, 1989, under a program continued or established
7 by the Secretary of Defense in fiscal year 1991 to test
8 the cost-effective use of special recruiting incentives in-
9 volving not more than nineteen noncombat arms skills ap-
10 proved in advance by the Secretary of Defense: *Provided*
11 *further*, That this subsection applies only to active compo-
12 nents of the Army.

13 (b) None of the funds appropriated by this Act shall
14 be available for the basic pay and allowances of any mem-
15 ber of the Army participating as a full-time student and
16 receiving benefits paid by the Secretary of Veterans Af-
17 fairs from the Department of Defense Education Benefits
18 Fund when time spent as a full-time student is credited
19 toward completion of a service commitment: *Provided*,
20 That this subsection shall not apply to those members who
21 have reenlisted with this option prior to October 1, 1987:
22 *Provided further*, That this subsection applies only to ac-
23 tive components of the Army.

24 SEC. 8019. Funds appropriated in this Act shall be
25 available for the payment of not more than 75 percent

1 of the charges of a postsecondary educational institution
2 for the tuition or expenses of an officer in the Ready Re-
3 serve of the Army National Guard or Army Reserve for
4 education or training during his off-duty periods, except
5 that no part of the charges may be paid unless the officer
6 agrees to remain a member of the Ready Reserve for at
7 least four years after completion of such training or edu-
8 cation.

9 SEC. 8020. None of the funds appropriated by this
10 Act shall be available to convert to contractor performance
11 an activity or function of the Department of Defense that,
12 on or after the date of enactment of this Act, is performed
13 by more than ten Department of Defense civilian employ-
14 ees until a most efficient and cost-effective organization
15 analysis is completed on such activity or function and cer-
16 tification of the analysis is made to the Committees on
17 Appropriations of the House of Representatives and the
18 Senate: *Provided*, That this section shall not apply to a
19 commercial or industrial type function of the Department
20 of Defense that: (1) is included on the procurement list
21 established pursuant to section 2 of the Act of June 25,
22 1938 (41 U.S.C. 47), popularly referred to as the Javits-
23 Wagner-O'Day Act; (2) is planned to be converted to per-
24 formance by a qualified nonprofit agency for the blind or
25 by a qualified nonprofit agency for other severely handi-

1 capped individuals in accordance with that Act; or (3) is
2 planned to be converted to performance by a qualified firm
3 under 51 percent Native American ownership.

4 ~~(131)SEC. 8021.~~ None of the funds made available
5 by this Act may be obligated for the acquisition of major
6 automated information systems which have not success-
7 fully completed oversight reviews required by Department
8 of Defense regulations: *Provided*, That the automated in-
9 formation systems oversight review board will be inde-
10 pendent of any other Department review function and
11 chaired by the Assistant Secretary of Defense for Com-
12 mand, Control, Communications and Intelligence: *Pro-*
13 *vided further*, That except for those programs to modern-
14 ize and develop migration and standard automated infor-
15 mation systems that have been certified by the Depart-
16 ment's senior information resource management (IRM) of-
17 ficial as being fully compliant with the Department's infor-
18 mation management initiative as defined in Defense De-
19 partment Directive 8000.1, no funds may be expended for
20 modernization or development of any automated informa-
21 tion system (AIS) by the military departments, services,
22 defense agencies, Joint Staff or Military Commands in ex-
23 cess of \$2,000,000 unless the senior official of the Office
24 of the Secretary of Defense with primary responsibility for
25 the functions being supported or to be supported certifies

1 to the Assistant Secretary of Defense for Command, Con-
2 trol, Communications and Intelligence that the functional
3 requirement(s) is valid and that the system modernization
4 or development has no unnecessary duplication of other
5 available or planned AISs: *Provided further*, That all new
6 Department of Defense procurements shall separately
7 identify software costs in the work breakdown structure
8 defined by MIL-STD-881 in those instances where soft-
9 ware is considered to be a major category of cost.

10 *SEC. 8021. Funds appropriated in title III of this Act*
11 *for the Department of Defense Pilot Mentor-Protege Pro-*
12 *gram may be transferred to any other appropriation con-*
13 *tained in this Act solely for the purpose of implementing*
14 *a Mentor-Protege Program developmental assistance agree-*
15 *ment pursuant to section 831 of the National Defense Au-*
16 *thorization Act for Fiscal Year 1991 (Public Law 101-510;*
17 *10 U.S.C. 2301 note), as amended, under the authority of*
18 *this provision or any other transfer authority contained in*
19 *this Act.*

20 SEC. 8022. Notwithstanding any other provision of
21 law, the Secretary of the Navy may use funds appro-
22 priated to charter ships to be used as auxiliary mine-
23 sweepers providing that the owner agrees that these ships
24 may be activated as Navy Reserve ships with Navy Re-
25 serve crews used in training exercises conducted in accord-

1 ance with law and policies governing Naval Reserve
 2 forces~~(132)~~: *Provided, That none of the funds appro-*
 3 *priated or made available in this Act may be used to inac-*
 4 *tivate, disestablish, or discontinue the Navy's Craft of Op-*
 5 *portunity Program.*

6 SEC. 8023. ~~(133) Funds appropriated or made avail-~~
 7 ~~able in this Act shall be obligated and expended to con-~~
 8 ~~tinue to fully utilize the facilities at the United States~~
 9 ~~Army Engineer's Waterways Experiment Station, includ-~~
 10 ~~ing the continued availability of the supercomputer capa-~~
 11 ~~bility: *Provided, That none* None of the funds in this Act~~
 12 may be used to purchase any supercomputer which is not
 13 manufactured in the United States, unless the Secretary
 14 of Defense certifies to the Armed Services and Appropria-
 15 tions Committees of Congress that such an acquisition
 16 must be made in order to acquire capability for national
 17 security purposes that is not available from United States
 18 manufacturers.

19 SEC. 8024. For the purposes of the Balanced Budget
 20 and Emergency Deficit Control Act of 1985 (Public Law
 21 99-177) as amended by the Balanced Budget and Emer-
 22 gency Deficit Control Reaffirmation Act of 1987 (Public
 23 Law 100-119) and by the Budget Enforcement Act of
 24 1990 (Public Law 101-508), the term program, project,
 25 and activity for appropriations contained in this Act shall

1 be defined as the most specific level of budget items identi-
2 fied in the Department of Defense Appropriations Act,
3 1995, the accompanying House and Senate Committee re-
4 ports, the conference report and accompanying joint ex-
5 planatory statement of the managers of the Committee of
6 Conference, the related classified annexes and reports, and
7 the P-1 and R-1 budget justification documents as subse-
8 quently modified by Congressional action: *Provided*, That
9 the following exception to the above definition shall apply:

10 For the Military Personnel and the Operation and
11 Maintenance accounts, the term “program, project, and
12 activity” is defined as the appropriations accounts con-
13 tained in the Department of Defense Appropriations Act:
14 *Provided further*, That at the time the President submits
15 his budget for fiscal year 1996, the Department of De-
16 fense shall transmit to the Committees on Appropriations
17 and the Committees on Armed Services of the Senate and
18 the House of Representatives a budget justification docu-
19 ment to be known as the “O-1” which shall identify, at
20 the budget activity, activity group, and subactivity group
21 level, the amounts requested by the President to be appro-
22 priated to the Department of Defense for operation and
23 maintenance in any budget request, or amended budget
24 request, for fiscal year 1996.

1 ~~(134)~~SEC. 8025. Of the funds appropriated to the
2 Army, \$223,736,000 shall be available only for the Re-
3 serve Component Automation System (RCAS): *Provided*,
4 That none of these funds can be expended—

5 (1) except as approved by the Chief of the Na-
6 tional Guard Bureau;

7 (2) unless RCAS resource management func-
8 tions are performed by the National Guard Bureau;

9 (3) to pay the salary of an RCAS program
10 manager who has not been selected and approved by
11 the Chief of the National Guard Bureau and char-
12 tered by the Chief of the National Guard Bureau
13 and the Secretary of the Army;

14 (4) unless the Program Manager (PM) charter
15 makes the PM accountable to the Chief of the Na-
16 tional Guard Bureau and fully defines his authority,
17 responsibility, reporting channels and organizational
18 structure;

19 (5) to pay the salaries of individuals assigned to
20 the RCAS program management office unless such
21 organization is comprised of personnel chosen jointly
22 by the Chiefs of the National Guard Bureau and the
23 Army Reserve;

24 (6) to pay contracted costs for the acquisition
25 of RCAS unless RCAS is an integrated system con-

1 sisting of software, hardware, and communications
2 equipment and unless such contract continues to
3 preclude the use of Government furnished equip-
4 ment, operating systems, and executive applications
5 software; and

6 (7) unless RCAS performs its own classified in-
7 formation processing;

8 *Provided further,* That notwithstanding any other provi-
9 sion of law, none of the funds appropriated shall be avail-
10 able for procurement of computers for the Army Reserve
11 Component which are used to network or expand the capa-
12 bilities of existing or future information systems or dupli-
13 cate functions to be provided under the RCAS contract
14 unless the procurement meets the following criteria: (A)
15 at sites scheduled to receive RCAS equipment prior to
16 September 30, 1995, RCAS ADP equipment may be pro-
17 cured and only in the numbers and types allocated by the
18 RCAS program to each site; and at sites scheduled to re-
19 ceive RCAS equipment after September 30, 1995, RCAS
20 ADP equipment or ADP equipment from a list of RCAS
21 compatible equipment approved by the Chief of the Na-
22 tional Guard Bureau or his designee, may be procured and
23 only in the numbers and types allocated by the RCAS pro-
24 gram to each site; (B) the requesting organizational ele-
25 ment has insufficient ADP equipment to perform adminis-

1 trative functions but not to exceed the number of work
 2 stations determined by the RCAS program for that site;
 3 ~~(C)~~ replacement equipment will not exceed the minimum
 4 required to maintain the reliability of existing capabilities;
 5 ~~(D)~~ replacement will be justified on the basis of cost and
 6 feasibility of repairs and maintenance of present ADP
 7 equipment as compared to the cost of replacement; and
 8 ~~(E)~~ the procurement under this policy must be approved
 9 by the Chief of the National Guard Bureau or his des-
 10 ignee, provided that the procurement is a one for one re-
 11 placement action of existing equipment.

12 *SEC. 8025. Of the funds made available by this Act*
 13 *in title III, Procurement, \$8,000,000, drawn pro rata from*
 14 *each appropriations account in title III, shall be available*
 15 *for incentive payments authorized by section 504 of the In-*
 16 *dian Financing Act of 1974, 25 U.S.C. 1544. These pay-*
 17 *ments shall be available only to contractors which have sub-*
 18 *mitted subcontracting plans pursuant to 15 U.S.C. 637(d),*
 19 *and according to regulations which shall be promulgated*
 20 *by the Secretary of Defense within 90 days of the passage*
 21 *of this Act.*

22 ~~(135)SEC. 8026.~~ None of the funds in this Act may
 23 be available for the purchase by the Department of De-
 24 fense ~~(and its departments and agencies)~~ of welded ship-
 25 board anchor and mooring chain 4 inches in diameter and

1 under unless the anchor and mooring chain are manufac-
2 tured in the United States from components which are
3 substantially manufactured in the United States: *Pro-*
4 *vided*, That for the purpose of this section manufactured
5 will include cutting, heat treating, quality control, testing
6 of chain and welding (including the forging and shot blast-
7 ing process): *Provided further*, That for the purpose of this
8 section substantially all of the components of anchor and
9 mooring chain shall be considered to be produced or manu-
10 factured in the United States if the aggregate cost of the
11 components produced or manufactured in the United
12 States exceeds the aggregate cost of the components pro-
13 duced or manufactured outside the United States: *Pro-*
14 *vided further*, That when adequate domestic supplies are
15 not available to meet Department of Defense requirements
16 on a timely basis, the Secretary of the service responsible
17 for the procurement may waive this restriction on a case-
18 by-case basis by certifying in writing to the Committees
19 on Appropriations that such an acquisition must be made
20 in order to acquire capability for national security pur-
21 poses.

22 *SEC. 8026. During the current fiscal year, none of the*
23 *funds available to the Department of Defense may be used*
24 *to procure or acquire (1) defensive handguns or defensive*
25 *handgun ammunition unless such handguns or handgun*

1 *ammunition are the M9 9mm Department of Defense stand-*
2 *ard handgun or ammunition for such handguns, or (2) of-*
3 *fensive handguns and ammunition except for the Special*
4 *Operations Forces: Provided, That the foregoing shall not*
5 *apply to handguns for marksmanship competitions.*

6 (TRANSFER OF FUNDS)

7 SEC. 8027. Notwithstanding any other provision of
8 law, the Department of Defense may transfer prior year,
9 unobligated balances and funds appropriated in this Act
10 to the operation and maintenance appropriations for the
11 purpose of providing military technician and Department
12 of Defense medical personnel pay and medical programs
13 (including CHAMPUS) the same exemption from seques-
14 tration set forth in the Balanced Budget and Emergency
15 Deficit Control Act of 1985 (Public Law 99-177) as
16 amended by the Balanced Budget and Emergency Deficit
17 Control Reaffirmation Act of 1987 (Public Law 100-119)
18 and by the Budget Enforcement Act of 1990 (Public Law
19 101-508) as that granted the other military personnel ac-
20 counts: *Provided, That* any transfer made pursuant to any
21 use of the authority provided by this provision shall be
22 limited so that the amounts reprogrammed to the oper-
23 ation and maintenance appropriations do not exceed the
24 amounts sequestered under the Balanced Budget and
25 Emergency Deficit Control Act of 1985 (Public Law 99-
26 177) as amended by the Balanced Budget and Emergency

1 Deficit Control Reaffirmation Act of 1987 (Public Law
2 100–119) and by the Budget Enforcement Act of 1990
3 (Public Law 101–508): *Provided further*, That the author-
4 ity to make transfers pursuant to this section is in addi-
5 tion to the authority to make transfers under other provi-
6 sions of this Act: *Provided further*, That the Secretary of
7 Defense may proceed with such transfer after notifying
8 the Appropriations Committees of the House of Rep-
9 resentatives and the Senate twenty calendar days in ses-
10 sion before any such transfer of funds under this provi-
11 sion.

12 SEC. 8028. None of the funds available to the De-
13 partment of the Navy may be used to enter into any con-
14 tract for the overhaul, repair, or maintenance of any naval
15 vessel homeported on the West Coast of the United States
16 which includes charges for interport differential as an
17 evaluation factor for award.

18 SEC. 8029. None of the funds appropriated by this
19 Act available for the Civilian Health and Medical Program
20 of the Uniformed Services (CHAMPUS) shall be available
21 for the reimbursement of any health care provider for in-
22 patient mental health service for care received when a pa-
23 tient is referred to a provider of inpatient mental health
24 care or residential treatment care by a medical or health
25 care professional having an economic interest in the facil-

1 ity to which the patient is referred: *Provided*, That this
2 limitation does not apply in the case of inpatient mental
3 health services provided under the program for the handi-
4 capped under subsection (d) of section 1079 of title 10,
5 United States Code, provided as partial hospital care, or
6 provided pursuant to a waiver authorized by the Secretary
7 of Defense because of medical or psychological cir-
8 cumstances of the patient that are confirmed by a health
9 professional who is not a Federal employee after a review,
10 pursuant to rules prescribed by the Secretary, which takes
11 into account the appropriate level of care for the patient,
12 the intensity of services required by the patient, and the
13 availability of that care.

14 ~~(136)SEC. 8030. Operational control of the Naval~~
15 ~~Reserve Personnel Center, including its functions and re-~~
16 ~~sponsibilities, shall be under the command and control of~~
17 ~~the Commander, Naval Reserve Command: *Provided*, That~~
18 ~~notwithstanding any other provision of law, the one-time~~
19 ~~costs, including the procurement or lease of new or~~
20 ~~reutilized automatic data processing investment equip-~~
21 ~~ment, peripheral equipment and related software, of the~~
22 ~~1993 Report to the President of the Defense Base Closure~~
23 ~~and Realignment Commission or current DOD Data Cen-~~
24 ~~ter Consolidation shall not exceed \$309,000,000.~~

1 *SEC. 8030. Notwithstanding any other provision of*
2 *law, none of the funds appropriated in this Act may be*
3 *used to purchase, install, replace, or otherwise repair any*
4 *lock on a safe or security container which protects informa-*
5 *tion critical to national security or any other classified ma-*
6 *terials and which has not been certified as passing the secu-*
7 *rity lock specifications contained in regulation FF-L-2740*
8 *dated October 12, 1989, and has not passed all testing cri-*
9 *teria and procedures established through February 28,*
10 *1992: Provided, That the Director of Central Intelligence*
11 *may waive this provision, on a case-by-case basis only,*
12 *upon certification that the above cited locks are not ade-*
13 *quate for the protection of sensitive intelligence informa-*
14 *tion.*

15 SEC. 8031. Funds available in this Act may be used
16 to provide transportation for the next-of-kin of individuals
17 who have been prisoners of war or missing in action from
18 the Vietnam era to an annual meeting in the United
19 States, under such regulations as the Secretary of Defense
20 may prescribe.

21 ~~(137)SEC. 8032. None of the funds available to the~~
22 ~~Department of Defense shall be obligated or expended for~~
23 ~~(or to implement) automatic data processing, data proc-~~
24 ~~essing center, central design activity, DMRD 918, defense~~
25 ~~information infrastructure, and military or civilian person-~~

1 nel function consolidation plans, consolidations, and dis-
2 establishment or realignment plans that impact, in terms
3 of reductions in force or transfers in military and civilian
4 personnel, end strength, billets, functions, or missions, the
5 Enlisted Personnel Management Center, and the collo-
6 cated Naval Computer and Telecommunications Station,
7 the Naval Reserve Force Information Systems Office, and
8 the Naval Reserve Personnel Center until sixty legislative
9 days after the Secretary of Defense submits to the House
10 and Senate Committees on Appropriations a report, in-
11 cluding complete review comments and a validation by the
12 Department of Defense Comptroller, justifying and vali-
13 dating that such plans and actions: (1) do not consolidate,
14 plan to consolidate, disestablish or realign Department of
15 Defense or Service data processing functions or centers,
16 central design activities, or military and civilian personnel
17 functions and activities, or claim savings from such func-
18 tion and activity consolidations and disestablishment, re-
19 alignment, or consolidation plans, that are in more than
20 one defense management report plan or decision or any
21 other Department of Defense or Service consolidation, dis-
22 establishment or realignment plan; (2) utilize criteria pri-
23 marily weighted to evaluate, measure and compare how
24 data processing centers and activities, central design ac-
25 tivities, and military and civilian personnel functions and

1 activities are ranked in terms of operational readiness;
2 customer satisfaction; and the most cost effective and least
3 expensive from a business performance; and regional oper-
4 ations cost standpoint; (3) will provide equal or better
5 service for DOD customers; (4) provide details as to the
6 impacts on the quality of life and benefits of the individual
7 service person; dependents; and civilian personnel; and (5)
8 will not adversely impact the mission and readiness of the
9 Navy and Naval Reserves: *Provided*, That funds made
10 available to the Department of Defense shall be available
11 to implement the 1993 Defense Base Closure and Realign-
12 ment Commission approved recommendations concerning
13 the Enlisted Personnel Management Center and the collo-
14 cated Naval Computer and Telecommunications Station.

15 *SEC. 8032. Notwithstanding any other provision of*
16 *law, funds available to the Department of Defense shall be*
17 *made available to provide transportation of medical sup-*
18 *plies and equipment, on a nonreimbursable basis, to Amer-*
19 *ican Samoa: Provided, That notwithstanding any other*
20 *provision of law, funds available to the Department of De-*
21 *fense shall be made available to provide transportation of*
22 *medical supplies and equipment, on a nonreimbursable*
23 *basis, to the Indian Health Service when it is in conjunc-*
24 *tion with a civil-military project.*

1 SEC. 8033. Notwithstanding any other provision of
2 law, during the current fiscal year, the Secretary of De-
3 fense may, by Executive Agreement, establish with host
4 nation governments in NATO member states a separate
5 account into which such residual value amounts negotiated
6 in the return of United States military installations in
7 NATO member states may be deposited, in the currency
8 of the host nation, in lieu of direct monetary transfers to
9 the United States Treasury: *Provided*, That such credits
10 may be utilized only for the construction of facilities to
11 support United States military forces in that host nation,
12 or such real property maintenance and base operating
13 costs that are currently executed through monetary trans-
14 fers to such host nations: *Provided further*, That the De-
15 partment of Defense's budget submission for fiscal year
16 1996 shall identify such sums anticipated in residual value
17 settlements, and identify such construction, real property
18 maintenance or base operating costs that shall be funded
19 by the host nation through such credits: *Provided further*,
20 That all military construction projects to be executed from
21 such accounts must be previously approved in a prior Act
22 of Congress: *Provided further*, That each such Executive
23 Agreement with a NATO member host nation shall be re-
24 ported to the Committees on Appropriations and Armed
25 Services of the House of Representatives and the Senate

1 thirty days prior to the conclusion and endorsement of any
2 such agreement established under this provision.

3 SEC. 8034. None of the funds available to the De-
4 partment of Defense in this Act shall be used to demili-
5 tarize or dispose of more than 310,784 unserviceable M1
6 Garand rifles and M1 Carbines.

7 SEC. 8035. Notwithstanding any other provision of
8 law, none of the funds appropriated by this Act shall be
9 available to pay more than 50 percent of an amount paid
10 to any person under section 308 of title 37, United States
11 Code, in a lump sum.

12 SEC. 8036. None of the funds appropriated by this
13 Act may be used by the Department of Defense to assign
14 a supervisor's title or grade when the number of people
15 he or she supervises is considered as a basis for this deter-
16 mination: *Provided*, That savings that result from this
17 provision are represented as such in future budget propos-
18 als.

19 SEC. 8037. Of the funds appropriated by this Act,
20 no more than \$18,500,000 shall be available for the men-
21 tal health care demonstration project at Fort Bragg,
22 North Carolina: *Provided*, That adjustments may be made
23 for normal and reasonable price and program growth.

24 SEC. 8038. None of the funds appropriated by this
25 Act shall be available for payments under the Department

1 of Defense contract with the Louisiana State University
2 Medical Center involving the use of cats for Brain Missile
3 Wound Research, and the Department of Defense shall
4 not make payments under such contract from funds obli-
5 gated prior to the date of the enactment of this Act, except
6 as necessary for costs incurred by the contractor prior to
7 the enactment of this Act: *Provided*, That funds necessary
8 for the care of animals covered by this contract are al-
9 lowed.

10 SEC. 8039. None of the funds provided in this Act
11 or any other Act shall be available to conduct bone trauma
12 research at any Army Research Laboratory until the Sec-
13 retary of the Army certifies that the synthetic compound
14 to be used in the experiments is of such a type that its
15 use will result in a significant medical finding, the re-
16 search has military application, the research will be con-
17 ducted in accordance with the standards set by an animal
18 care and use committee, and the research does not dupli-
19 cate research already conducted by a manufacturer or any
20 other research organization.

21 SEC. 8040. The Secretary of Defense shall include
22 in any base closure and realignment plan submitted to
23 Congress after the date of enactment of this Act, a com-
24 plete review for the five-year period beginning on October
25 1, 1994, which shall include expected force structure and

1 levels for such period, expected installation requirements
 2 for such period, a budget plan for such period, the cost
 3 savings expected to be realized through realignments and
 4 closures of military installations during such period, an
 5 economics model to identify the critical local economic sec-
 6 tors affected by proposed closures and realignments of
 7 military installations and an assessment of the economic
 8 impact in each area in which a military installation is to
 9 be realigned or closed.

10 ~~(138)SEC. 8041. No more than \$50,000 of the funds~~
 11 ~~appropriated or made available in this Act shall be used~~
 12 ~~for any single relocation of an organization, unit, activity~~
 13 ~~or function of the Department of Defense into or within~~
 14 ~~the National Capital Region: *Provided*, That the Secretary~~
 15 ~~of Defense may waive this restriction on a case-by-case~~
 16 ~~basis by certifying in writing to the Committees on Appro-~~
 17 ~~priations of the House of Representatives and Senate that~~
 18 ~~such a relocation is required in the best interest of the~~
 19 ~~Government: *Provided further*, That no funds appropriated~~
 20 ~~or made available in this Act shall be used for the reloca-~~
 21 ~~tion into the National Capital Region of the Air Force Of-~~
 22 ~~fice of Medical Support located at Brooks Air Force Base.~~

23 *SEC. 8041. Notwithstanding any other provision of*
 24 *law, each contract awarded by the Department of Defense*
 25 *in fiscal year 1995 for construction or service performed*

1 *in whole or in part in a State which is not contiguous with*
2 *another State and has an unemployment rate in excess of*
3 *the national average rate of unemployment as determined*
4 *by the Secretary of Labor shall include a provision requir-*
5 *ing the contractor to employ, for the purpose of performing*
6 *that portion of the contract in such State that is not contig-*
7 *uous with another State, individuals who are residents of*
8 *such State and who, in the case of any craft or trade, pos-*
9 *sess or would be able to acquire promptly the necessary*
10 *skills: Provided, That the Secretary of Defense may waive*
11 *the requirements of this section in the interest of national*
12 *security.*

13 SEC. 8042. During the current fiscal year, funds ap-
14 propriated or otherwise available for any Federal agency,
15 the Congress, the judicial branch, or the District of Co-
16 lumbia may be used for the pay, allowances, and benefits
17 of an employee as defined by section 2105 of title 5 or
18 an individual employed by the government of the District
19 of Columbia, permanent or temporary indefinite, who—

20 (1) is a member of a Reserve component of the
21 armed forces, as described in section 261 of title 10,
22 or the National Guard, as described in section 101
23 of title 32;

24 (2) performs, for the purpose of providing mili-
25 tary aid to enforce the law or providing assistance

1 to civil authorities in the protection or saving of life
2 or property or prevention of injury—

3 (A) Federal service under section 331,
4 332, 333, 3500, or 8500 of title 10, or other
5 provision of law, as applicable, or

6 (B) full-time military service for his State,
7 the District of Columbia, the Commonwealth of
8 Puerto Rico, or a territory of the United States;
9 and

10 (3) requests and is granted—

11 (A) leave under the authority of this sec-
12 tion; or

13 (B) annual leave, which may be granted
14 without regard to the provisions of sections
15 5519 and 6323(b) of title 5, if such employee
16 is otherwise entitled to such annual leave:

17 *Provided*, That any employee who requests leave under
18 subsection (3)(A) for service described in subsection (2)
19 of this section is entitled to such leave, subject to the pro-
20 visions of this section and of the last sentence of section
21 6323(b) of title 5, and such leave shall be considered leave
22 under section 6323(b) of title 5.

23 SEC. 8043. None of the funds appropriated by this
24 Act shall be available to perform any cost study pursuant
25 to the provisions of OMB Circular A-76 if the study being

1 performed exceeds a period of twenty-four months after
2 initiation of such study with respect to a single function
3 activity or forty-eight months after initiation of such study
4 for a multi-function activity.

5 SEC. 8044. Funds appropriated by this Act for the
6 American Forces Information Service shall not be used for
7 any national or international political or psychological ac-
8 tivities.

9 SEC. 8045. Notwithstanding any other provision of
10 law or regulation, the Secretary of Defense may adjust
11 wage rates for civilian employees hired for certain health
12 care occupations as authorized for the Secretary of Veter-
13 ans Affairs by section 7455 of title 38, United States
14 Code.

15 SEC. 8046. Of the funds made available in this Act,
16 not less than ~~(139)\$24,565,000~~ *\$19,917,000* shall be
17 available for the Civil Air Patrol, of which
18 ~~(140)\$13,105,000~~ *\$10,410,000* shall be available for Op-
19 eration and Maintenance.

20 SEC. 8047. None of the funds appropriated or made
21 available in this Act shall be used to reduce or disestablish
22 the operation of the 53rd Weather Reconnaissance Squad-
23 ron of the Air Force Reserve, if such action would reduce
24 the WC-130 Weather Reconnaissance mission below the
25 levels funded in this Act.

1 SEC. 8048. (a) Of the funds for the procurement of
2 supplies or services appropriated by this Act, qualified
3 nonprofit agencies for the blind or other severely handi-
4 capped shall be afforded the maximum practicable oppor-
5 tunity to participate as subcontractors and suppliers in the
6 performance of contracts let by the Department of De-
7 fense.

8 (b) During the current fiscal year, a business concern
9 which has negotiated with a military service or defense
10 agency a subcontracting plan for the participation by
11 small business concerns pursuant to section 8(d) of the
12 Small Business Act (15 U.S.C. 637(d)) shall be given
13 credit toward meeting that subcontracting goal for any
14 purchases made from qualified nonprofit agencies for the
15 blind or other severely handicapped.

16 (c) For the purpose of this section, the phrase “quali-
17 fied nonprofit agency for the blind or other severely handi-
18 capped” means a nonprofit agency for the blind or other
19 severely handicapped that has been approved by the Com-
20 mittee for the Purchase from the Blind and Other Severely
21 Handicapped under the Javits-Wagner-O’Day Act (41
22 U.S.C. 46–48).

23 SEC. 8049. During the current fiscal year, net re-
24 ceipts pursuant to collections from third party payers pur-
25 suant to section 1095 of title 10, United States Code, shall

1 be made available to the local facility of the uniformed
 2 services responsible for the collections and shall be over
 3 and above the facility's direct budget amount.

4 ~~(141)SEC. 8050. Notwithstanding any other provi-~~
 5 ~~sion of law or regulation, ships designated T-AGS 63, T-~~
 6 ~~AGS 64 and T-AGS 65 must utilize remanufactured~~
 7 ~~milspec SASS multibeam sonars. *Provided*, That the Sec-~~
 8 ~~retary of the Navy may waive this restriction by certifying~~
 9 ~~in writing to the Committee on Appropriations that an al-~~
 10 ~~ternative acquisition must be made in order to acquire ca-~~
 11 ~~pability for national security purposes.~~

12 *SEC. 8050. None of the funds available to the Depart-*
 13 *ment of Defense during fiscal year 1995 may be obligated*
 14 *for low rate initial production of the ALR-67(V)3 Ad-*
 15 *vanced Special Receiver (ASR) until 30 days after the con-*
 16 *gressional defense committees have received the following:*

17 *(1) A certification by the Director, Operational*
 18 *Test and Evaluation, Defense, that, based on the re-*
 19 *sults of the joint Developmental Test/Operational Test*
 20 *flight tests and of the Operational Assessment in-*
 21 *tended to address the readiness of the ASR for low*
 22 *rate initial production, ASR is potentially operation-*
 23 *ally effective and potentially operationally suitable*
 24 *and ready to enter low rate initial production;*

1 (2) *A comprehensive report by the Commander,*
2 *Navy Operational Test and Evaluation Force as to*
3 *the test objectives and results of the joint Developmen-*
4 *tal Test/Operational Test flight tests and of the Oper-*
5 *ational Assessment intended to address the readiness*
6 *of the ASR for low rate initial production;*

7 (3) *A comprehensive report by the Assistant Sec-*
8 *retary of the Navy (Research, Development and Ac-*
9 *quisition) as to the test objectives and results of the*
10 *Developmental Flight Tests and Technical Evalua-*
11 *tion, along with her certification that, based on these*
12 *results, the ASR is ready to enter low rate initial*
13 *production.*

14 SEC. 8051. Section 8060 of the Department of De-
15 fense Appropriations Act, 1994 (Public Law 103–139) is
16 hereby repealed, which contained authority for acquisition
17 of LANDSAT 7.

18 SEC. 8052. Notwithstanding any other provision of
19 law, of the funds appropriated for the Defense Health
20 Program during this fiscal year ~~(142)~~and hereafter, the
21 amount payable for services provided under this section
22 shall not be less than the amount calculated under the
23 coordination of benefits reimbursement formula utilized
24 when CHAMPUS is a secondary payor to medical insur-
25 ance programs other than Medicare, and such appropria-

1 tions as necessary shall be available (notwithstanding the
2 last sentence of section 1086(c) of title 10, United States
3 Code) to continue Civilian Health and Medical Program
4 of the Uniformed Services (CHAMPUS) benefits, until
5 age 65, under such section for a former member of a uni-
6 formed service who is entitled to retired or retainer pay
7 or equivalent pay, or a dependent of such a member, or
8 any other beneficiary described by section 1086(c) of title
9 10, United States Code, who becomes eligible for hospital
10 insurance benefits under part A of title XVIII of the So-
11 cial Security Act (42 U.S.C. 1395 et seq.) solely on the
12 grounds of physical disability, or end stage renal disease:
13 *Provided*, That expenses under this section shall only be
14 covered to the extent that such expenses are not covered
15 under parts A and B of title XVIII of the Social Security
16 Act and are otherwise covered under CHAMPUS: *Pro-*
17 *vided further*, That no reimbursement shall be made for
18 services provided prior to October 1, 1991.

19 SEC. 8053. During the current fiscal year, the De-
20 partment of Defense is authorized to incur obligations of
21 not to exceed \$250,000,000 for purposes specified in sec-
22 tion 2350j(c) of title 10, United States Code in anticipa-
23 tion of receipt of contributions, only from the Government
24 of Kuwait, under that section: *Provided*, That, upon re-
25 ceipt, such contributions from the Government of Kuwait

1 shall be credited to the appropriation or fund which in-
2 curred such obligations.

3 ~~(143)SEC. 8054.~~ (a) Funds appropriated in this Act
4 to finance activities of Department (DOD) Federally
5 Funded Research and Development Centers (FFRDCs)
6 may not be obligated or expended for a FFRDC if a mem-
7 ber of its Board of Directors or Trustees simultaneously
8 serves on the Board of Directors or Trustees of a profit-
9 making company under contract to the Department of De-
10 fense unless the FFRDC has a DOD approved conflict
11 of interest policy for its members.

12 ~~(b)~~ None of the funds appropriated in this Act are
13 available to establish a new FFRDC, either as a new en-
14 tity, or as a separate entity administered by an organiza-
15 tion managing another FFRDC, or as a nonprofit mem-
16 bership corporation consisting of a consortium of other
17 FFRDCs and other nonprofit entities.

18 ~~(c)~~ Notwithstanding any other provision of law, of the
19 amounts available to the Department of Defense during
20 fiscal year 1995, not more than \$1,252,650,000 may be
21 obligated for financing activities of FFRDCs.

22 ~~(d)~~ The Secretary of Defense may not obligate more
23 than one-half of the funds available to FFRDCs until the
24 Congressional defense committees receive the report on es-
25 tablishing pay caps for FFRDC employees that was di-

1 rected in the Committee's report accompanying the fiscal
2 year 1994 Department of Defense Appropriations Act.

3 *SEC. 8054. (a) Funds appropriated in this Act to fi-*
4 *nance activities of Department of Defense (DOD) Federally*
5 *Funded Research and Development Centers (FFRDCs) may*
6 *not be obligated or expended for a FFRDC if a member*
7 *of its Board of Directors or Trustees simultaneously serves*
8 *on the Board of Directors or Trustees of a profit-making*
9 *company under contract to the Department of Defense un-*
10 *less the FFRDC has a DOD approved conflict of interest*
11 *policy for its members.*

12 *(b) None of the funds appropriated in this Act are*
13 *available to establish a new FFRDC, either as a new entity,*
14 *or as a separate entity administered by an organization*
15 *managing another FFRDC, or as a nonprofit membership*
16 *corporation consisting of a consortium of other FFRDCs*
17 *and other nonprofit entities.*

18 *(c) The Secretary of Defense may not obligate more*
19 *than one-half of the funds available for each defense*
20 *FFRDC, and more than one-half of the total amount avail-*
21 *able for defense FFRDCs, until the Congressional defense*
22 *committees receive a copy of the revised and updated DOD*
23 *master plan for FFRDCs: Provided, That the master plan*
24 *submitted in compliance with this subsection shall contain*
25 *annual funding and manpower ceilings for each defense*

1 *FFRDC and each subcomponent of a defense FFRDC iden-*
2 *tified as separate sub-entity due to the significantly unique*
3 *nature of its functions.*

4 (d) *LIMITATION ON COMPENSATION.—No employee or*
5 *executive officer of a defense FFRDC may be compensated*
6 *at a rate exceeding Executive Schedule Level I by that*
7 *FFRDC: Provided, That the restriction contained in this*
8 *subsection shall not take effect until July 1, 1995.*

9 (e) *LIMITATION ON COMPENSATION.—No member of a*
10 *Board of Directors, Trustees, Overseers, Advisory Group,*
11 *Special Issues Panel, Visiting Committee, or any similar*
12 *entity of a defense FFRDC may be compensated for his or*
13 *her services as a member of such entity except under the*
14 *same conditions, and to the same extent, as members of the*
15 *Defense Science Board: Provided, That a member of any*
16 *such entity shall be allowed travel expenses and per diem*
17 *as authorized under the Federal Joint Travel Regulations,*
18 *when engaged in the performance of membership duties:*
19 *Provided further, That the restriction contained in this sub-*
20 *section shall not take effect until July 1, 1995.*

21 (f) *ELIMINATION OF FEE.—None of the funds available*
22 *to the Department of Defense from any source during fiscal*
23 *year 1995 may be obligated to pay any fee to a defense*
24 *FFRDC.*

1 (g) None of the funds available to the Department of
2 Defense from any source during fiscal year 1995 may be
3 used by a defense FFRDC for any purpose which otherwise
4 is not reimbursable under federal or Department of Defense
5 acquisition regulations: Provided, That the restriction con-
6 tained in this subsection shall also apply to cost sharing
7 for projects funded by government grants, absorption of con-
8 tract overruns, and costs necessary to pay the costs of doing
9 business in advance of reimbursement.

10 (h) Notwithstanding any other provision of law, of the
11 amounts available to the Department of Defense during fis-
12 cal year 1995, not more than \$1,300,000,000 may be obli-
13 gated for financing activities of FFRDCs: Provided, That
14 the total amount appropriated in title IV of this Act is here-
15 by reduced by \$52,650,000 to reflect the funding ceiling con-
16 tained in this subsection.

17 (i) The total amount appropriated to or for the use
18 of the Department of Defense in title IV of this Act is re-
19 duced by an additional \$62,634,000 to reflect savings from
20 the decreased use of non-FFRDC consulting services by the
21 Department of Defense.

22 (j) The total amount appropriated to or for the use
23 of the Department of Defense in title IV of this Act is re-
24 duced by an additional \$19,055,000 to reflect savings from
25 the decreased use of major non-profit federally-funded re-

1 *search institutions and university-affiliated research cen-*
2 *ters by the Department of Defense.*

3 ~~(144)~~SEC. 8055. None of the funds appropriated or
4 made available in this Act shall be used to procure carbon,
5 alloy or armor steel plate for use in any Government-
6 owned facility or property under the control of the Depart-
7 ment of Defense which were not melted and rolled in the
8 United States or Canada: *Provided*, That these procure-
9 ment restrictions shall apply to any and all Federal Supply
10 Class 9515, American Society of Testing and Materials
11 (ASTM) or American Iron and Steel Institute (AISI)
12 specifications of carbon, alloy or armor steel plate: *Pro-*
13 *vided further*, That the Secretary of the military depart-
14 ment responsible for the procurement may waive this re-
15 striction on a case-by-case basis by certifying in writing
16 to the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate that adequate domestic sup-
18 plies are not available to meet Department of Defense re-
19 quirements on a timely basis and that such an acquisition
20 must be made in order to acquire capability for national
21 security purposes: *Provided further*, That these restrictions
22 shall not apply to contracts which are in being as of the
23 date of enactment of this Act.

24 SEC. 8055. None of the unobligated balances available
25 in the National Defense Stockpile Transaction Fund during

1 *the current fiscal year may be obligated or expended to fi-*
2 *nance any grant or contract to conduct research, develop-*
3 *ment, test and evaluation activities for the development or*
4 *production of advanced materials, unless amounts for such*
5 *purposes are specifically appropriated in a subsequent ap-*
6 *propriations Act.*

7 SEC. 8056. For the purposes of this Act, the term
8 “congressional defense committees” means the Commit-
9 tees on Armed Services, the Committees on Appropria-
10 tions, and the subcommittees on Defense of the Committee
11 on Appropriations, of the Senate and the House of Rep-
12 resentatives.

13 SEC. 8057. Notwithstanding any other provision of
14 law, during the current fiscal year, the Department of De-
15 fense may acquire the modification, depot maintenance
16 and repair of aircraft, vehicles and vessels as well as the
17 production of components and other Defense-related arti-
18 cles, through competition between Department of Defense
19 depot maintenance activities and private firms: *Provided,*
20 *That the Senior Acquisition Executive of the military de-*
21 *partment or defense agency concerned, with power of dele-*
22 *gation, shall certify that successful bids include com-*
23 *parable estimates of all direct and indirect costs for both*
24 *public and private bids: Provided further, That Office of*

1 Management and Budget Circular A-76 shall not apply
2 to competitions conducted under this section.

3 ~~(145)~~SEC. 8058. ~~(a)(1)~~ If the Secretary of Defense,
4 after consultation with the United States Trade Rep-
5 resentative, determines that a foreign country which is
6 party to an agreement described in paragraph ~~(2)~~ has vio-
7 lated the terms of the agreement by discriminating against
8 certain types of products produced in the United States
9 that are covered by the agreement, the Secretary of De-
10 fense shall rescind the Secretary's blanket waiver of the
11 Buy American Act with respect to such types of products
12 produced in that foreign country.

13 ~~(2)~~ An agreement referred to in paragraph ~~(1)~~ is any
14 reciprocal defense procurement memorandum of under-
15 standing, between the United States and a foreign country
16 pursuant to which the Secretary of Defense has prospec-
17 tively waived the Buy American Act for certain products
18 in that country.

19 ~~(b)~~ The Secretary of Defense shall submit to Con-
20 gress a report on the amount of Department of Defense
21 purchases from foreign entities in fiscal year 1995. Such
22 report shall separately indicate the dollar value of items
23 for which the Buy American Act was waived pursuant to
24 any agreement described in subsection ~~(a)(2)~~, the Trade
25 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any

1 international agreement to which the United States is a
2 party.

3 (c) For purposes of this section, the term “Buy
4 American Act” means title III of the Act entitled “An Act
5 making appropriations for the Treasury and Post Office
6 Departments for the fiscal year ending June 30, 1934,
7 and for other purposes”, approved March 3, 1933 (41
8 U.S.C. 10a et seq.).

9 *SEC. 8058. None of the funds appropriated by this Act*
10 *shall be used for the support of any nonappropriated funds*
11 *activity of the Department of Defense that procures malt*
12 *beverages and wine with nonappropriated funds for resale*
13 *(including such alcoholic beverages sold by the drink) on*
14 *a military installation located in the United States unless*
15 *such malt beverages and wine are procured within that*
16 *State, or in the case of the District of Columbia, within*
17 *the District of Columbia, in which the military installation*
18 *is located: Provided, That in a case in which the military*
19 *installation is located in more than one State, purchases*
20 *may be made in any State in which the installation is lo-*
21 *cated: Provided further, That such local procurement re-*
22 *quirements for malt beverages and wine shall apply to all*
23 *alcoholic beverages only for military installations in States*
24 *which are not contiguous with another State: Provided fur-*
25 *ther, That alcoholic beverages other than wine and malt bev-*

1 *erages, in contiguous States and the District of Columbia*
2 *shall be procured from the most competitive source, price*
3 *and other factors considered.*

4 SEC. 8059. (a) Of the funds made available in this
5 Act in title II, Operation and Maintenance, Army,
6 \$2,000,000 shall be available only to execute the cleanup
7 of uncontrolled hazardous waste contamination affecting
8 the Sale Parcel at Hamilton Air Force Base, in Novato,
9 in the State of California.

10 (b) Notwithstanding any other provision of law, in the
11 event that the purchaser of the Sale Parcel exercises its
12 option to withdraw from all or a portion of the sale, as
13 provided in the Agreement and Modification, dated Sep-
14 tember 25, 1990, between the Department of Defense, the
15 General Services Administration, and the purchaser, as
16 amended, the purchaser's deposit of \$4,500,000 shall be
17 returned by the General Services Administration and
18 funds eligible for reimbursement under the Agreement and
19 Modification, as amended, shall come from the funds made
20 available to the Department of Defense by this Act.

21 (c) In the event that the purchaser purchases only
22 a portion of the Sale Parcel and exercises its option to
23 withdraw from the sale as to the rest of the Sale Parcel,
24 the portion of the Sale Parcel that is not purchased (other
25 than Landfill 26 and an appropriate buffer area around

1 it and the groundwater treatment facility site), together
2 with any of the land referred to in section 9099(e) of Pub-
3 lic Law 102-396 that is not purchased by the purchaser,
4 shall be sold to the City of Novato, in the State of Califor-
5 nia, for the sum of One Dollar as a public benefit transfer
6 for school, classroom or other educational use, for use as
7 a public park or recreation area or for further conveyance
8 as provided herein, subject to the following restrictions:
9 (1) if the City sells any portion of such land to any third
10 party within ten years after the transfer to the City, which
11 sale may be made without the foregoing use restrictions,
12 any proceeds received by the City in connection with such
13 sale, minus the demonstrated reasonable costs of conduct-
14 ing the sale and of any improvements made by the City
15 to the land following its acquisition of the land (but only
16 to the extent such improvements increase the value of the
17 portion sold), shall be immediately turned over to the
18 Army in reimbursement of the withdrawal payment made
19 by the Army to the contract purchaser and the costs of
20 cleaning up the Landfill and (2) until one year following
21 completion of the cleanup of contaminated soil in the
22 Landfill and completion of the groundwater treatment fa-
23 cilities, the sale must be at a per-acre price for the portion
24 sold that is at least equal to the per-acre contract price
25 paid by the purchaser for the portion of the Sale Parcel

1 purchased under the Agreement and Modification, as
2 amended, and thereafter must be at a price at least equal
3 to the fair market value of the portion sold. The foregoing
4 restrictions shall not apply to a transfer to another public
5 or quasi-public agency for public uses of the kind de-
6 scribed above. The deed to the City shall contain a clause
7 providing that, if any of the proceeds referred to in clause
8 (1) are not delivered to the Army within 30 days after
9 sale, or any portion of the land not sold as provided herein
10 is used for other than educational, park or recreational
11 uses, title to the applicable portion of such land shall re-
12 vert to the United States Government at the election of
13 the General Services Administration. The Army shall
14 agree to deliver into the applicable closing escrow an ac-
15 knowledgement of receipt of any proceeds described in
16 clause (1) above and a release of the reverter right as to
17 the affected land, effective upon such receipt.

18 (d) Notwithstanding any other provision of law, the
19 Air Force shall be reimbursed for expenditures in excess
20 of \$15,000,000 in connection with the total clean-up of
21 uncontrolled hazardous waste contamination on the afore-
22 mentioned Sale Parcel from the proceeds collected upon
23 the closing of any portion of the Sale Parcel purchased
24 by the contract purchaser under the Agreement and Modi-
25 fication, as amended.

1 (e) Notwithstanding any other provision of law, the
2 purchaser's reimbursement claims shall be audited by the
3 Defense Contract Audit Agency for reasonableness and ac-
4 curacy before the Department of Defense provides any
5 funds under the purchaser's withdrawal and reimburse-
6 ment rights.

7 SEC. 8060. Notwithstanding any other provision of
8 law, the Secretary of Defense may, when he considers it
9 in the best interest of the United States, cancel any part
10 of an indebtedness, up to \$2,500, that is or was owed to
11 the United States by a member or former member of a
12 uniformed service if such indebtedness, as determined by
13 the Secretary, was incurred in connection with Operation
14 Desert Shield/Storm: *Provided*, That the amount of an in-
15 debtedness previously paid by a member or former mem-
16 ber and cancelled under this section shall be refunded to
17 the member.

18 SEC. 8061. Appropriations contained in this Act that
19 remain available at the end of the current fiscal year as
20 a result of energy cost savings realized by the Department
21 of Defense shall remain available for obligation for the
22 next fiscal year to the extent, and for the purposes, pro-
23 vided in section 2865 of title 10, United States Code.

24 SEC. 8062. During the current fiscal year ~~(146)~~and
25 thereafter, voluntary separation incentives payable under

1 10 U.S.C. 1175 may be paid in such amounts as are nec-
 2 essary from the assets of the Voluntary Separation Incen-
 3 tive Fund established by section 1175(h)(1).

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8063. Amounts deposited during fiscal years
 6 1994 and 1995 to the special account established under
 7 40 U.S.C. 485(h)(2) and to the special account established
 8 under 10 U.S.C. 2667(d)(1) are appropriated and shall
 9 be available until transferred by the Secretary of Defense
 10 to current applicable appropriations or funds of the De-
 11 partment of Defense under the terms and conditions speci-
 12 fied by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C.
 13 2667(d)(1)(B), to be merged with and to be available for
 14 the same time period and the same purposes as the appro-
 15 priation to which transferred.

16 ~~(147) SEC. 8064.~~ In order to maintain an electric
 17 furnace capacity in the United States, preference for the
 18 purchase of chromite ore and manganese ore authorized
 19 for disposal from the National Defense Stockpile shall be
 20 given to domestic producers of high carbon ferrochromium
 21 and high carbon ferromanganese—

22 (A) whose primary output during the three pre-
 23 ceding years has been ferrochromium or
 24 ferromanganese; and

25 (B) who guarantee to use the chromite and
 26 manganese ore for domestic purposes.

1 *SEC. 8064. Notwithstanding any other provision of*
2 *law, any statutorily-required analysis of the impact on the*
3 *defense technology and industrial base of terminations and*
4 *significant reductions of major research and development*
5 *programs and procurement programs of the Department of*
6 *Defense shall address only those actions recommended by*
7 *the Defense Department in its annual budget request and*
8 *amendments thereto, supplemental requests, or proposed re-*
9 *scissions.*

10 SEC. 8065. None of the funds in this or any other
11 Act shall be available for the preparation of studies on—

12 (a) the feasibility of removal and transportation
13 of unitary chemical weapons from the eight chemical
14 storage sites within the continental United States:
15 *Provided*, That this prohibition shall not apply to
16 non-stockpile material in the United States or to
17 studies needed for environmental analysis required
18 by the National Environmental Policy Act, or for
19 General Accounting Office studies requested by a
20 Member of Congress or a Congressional Committee;
21 and

22 (b) the potential future uses of the nine chemi-
23 cal disposal facilities other than for the destruction
24 of stockpile chemical munitions and as limited by
25 section 1412(c)(2), Public Law 99-145: *Provided*,

1 That this prohibition does not apply to future use
2 studies for the CAMDS facility at Tooele, Utah.

3 SEC. 8066. During the current fiscal year, appropria-
4 tions available to the Department of Defense may be used
5 to reimburse a member of a reserve component of the
6 Armed Forces who is not otherwise entitled to travel and
7 transportation allowances and who occupies transient gov-
8 ernment housing while performing active duty for training
9 or inactive duty training: *Provided*, That such members
10 may be provided lodging in kind if transient government
11 quarters are unavailable as if the member was entitled to
12 such allowances under subsection (a) of section 404 of title
13 37, United States Code: *Provided further*, That if lodging
14 in kind is provided, any authorized service charge or cost
15 of such lodging may be paid directly from funds appro-
16 priated for operation and maintenance of the reserve com-
17 ponent of the member concerned.

18 SEC. 8067. For fiscal year 1995, the total amount
19 appropriated to fund the Uniformed Services Treatment
20 Facilities program, operated pursuant to section 911 of
21 Public Law 97-99 (42 U.S.C. 248c), is limited to
22 ~~(148)\$329,000,000~~ \$296,000,000, of which not more than
23 ~~(149)\$300,000,000~~ \$270,000,000 may be provided by the
24 funds appropriated by this Act.

1 SEC. 8068. None of the funds available in this Act
2 may be used to support in any manner, including travel
3 or other related expenses, the “Tailhook Association”:
4 *Provided*, That investigations by the Secretary of the Navy
5 or consultation with the Tailhook Association are not pro-
6 hibited by this provision.

7 SEC. 8069. The President shall include with each
8 budget for a fiscal year submitted to the Congress under
9 section 1105 of title 31, United States Code, materials
10 that shall identify clearly and separately the amounts re-
11 quested in the budget for appropriation for that fiscal year
12 for salaries and expenses related to administrative activi-
13 ties of the Department of Defense, the military depart-
14 ments, and the Defense Agencies.

15 SEC. 8070. None of the funds available to the De-
16 partment of Defense may be obligated or expended for
17 construction of Ground Wave Emergency Network
18 (GWEN) sites in Fiscal Year 1995.

19 SEC. 8071. Notwithstanding any other provision of
20 law, the Naval shipyards of the United States shall be eli-
21 gible to participate in any manufacturing extension pro-
22 gram financed by funds appropriated in this or any other
23 Act.

24 SEC. 8072. During the current fiscal year, amounts
25 contained in the Department of Defense Overseas Military

1 Facility Investment Recovery Account established by sec-
 2 tion 2921(c)(1) of the National Defense Authorization Act
 3 of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall
 4 be available until expended for the payments specified by
 5 section 2921(c)(2) of that Act.

6 SEC. 8073. During the current fiscal year ~~(150)~~and
 7 thereafter, annual payments granted under the provisions
 8 of section 4416 of the National Defense Authorization Act
 9 for Fiscal Year 1993 (Public Law 102-428; 106 Stat.
 10 2714) shall be made from appropriations in this Act which
 11 are available for the pay of reserve component personnel.

12 ~~(151)~~SEC. 8074. None of the funds appropriated by
 13 this Act may be used to relocate the 116th Fighter Wing
 14 of the Air National Guard from Dobbins Air Reserve Base
 15 to Robins Air Force Base, or to convert that wing from
 16 F-15A aircraft to B-1B aircraft.

17 SEC. 8074. *Of the funds appropriated or otherwise*
 18 *made available by this Act, not more than \$119,200,000*
 19 *shall be available for payment of the operating costs of*
 20 *NATO Headquarters.*

21 ~~(152)~~SEC. 8075. None of the funds appropriated by
 22 this Act shall be used to procure aircraft fuel cells unless
 23 the fuel cells are produced or manufactured in the United
 24 States by a domestic-operated entity: *Provided*, That the
 25 Secretary of the military department responsible for the

1 procurement may waive this restriction on a case-by-case
2 basis by certifying in writing to the Committees on Appro-
3 priations of the House of Representatives and the Senate
4 that adequate domestic supplies are not available to meet
5 Department of Defense requirements on a timely basis
6 and that such an acquisition must be made in order to
7 acquire capability for national security purposes.

8 *SEC. 8075. None of the funds available to the Depart-*
9 *ment of the Air Force shall be available to establish or sup-*
10 *port any organic depot maintenance support activity for*
11 *the B-2 bomber until the Under Secretary of Defense, Ac-*
12 *quisition and Technology reviews the existing infrastruc-*
13 *ture for the private sector and Air Force Depot support and*
14 *maintenance of the B-2 and reports to the Congressional*
15 *Defense Committees the most efficient and cost effective uti-*
16 *lization of public and private facilities to support the B-*
17 *2.*

18 SEC. 8076. During the current fiscal year, appropria-
19 tions which are available to the Department of Defense
20 for operation and maintenance may be used to purchase
21 items having an investment item unit cost of not more
22 than \$50,000.

23 SEC. 8077. During the current fiscal year ~~(153)~~and
24 ~~thereafter~~, appropriations available for the pay and allow-
25 ances of active duty members of the Armed Forces shall

1 be available to pay the retired pay which is payable pursu-
2 ant to section 4403 of Public Law 102-484 (10 U.S.C.
3 1293 note) under the terms and conditions provided in
4 section 4403.

5 SEC. 8078. (a) During the current fiscal year, none
6 of the appropriations or funds available to the Defense
7 Business Operations Fund shall be used for the purchase
8 of an investment item for the purpose of acquiring a new
9 inventory item for sale or anticipated sale during the cur-
10 rent fiscal year or a subsequent fiscal year to customers
11 of the Defense Business Operations Fund if such an item
12 would not have been chargeable to the Defense Business
13 Operations Fund during fiscal year 1994 and if the pur-
14 chase of such an investment item would be chargeable dur-
15 ing the current fiscal year to appropriations made to the
16 Department of Defense for procurement.

17 (b) The fiscal year 1996 budget request for the De-
18 partment of Defense as well as all justification material
19 and other documentation supporting the fiscal year 1996
20 Department of Defense budget shall be prepared and sub-
21 mitted to the Congress on the basis that any equipment
22 which was classified as an end item and funded in a pro-
23 curement appropriation contained in this Act shall be
24 budgeted for in a proposed fiscal year 1996 procurement
25 appropriation and not in the supply management business

1 area or any other area or category of the Defense Business
2 Operations Fund.

3 SEC. 8079. None of the funds provided in this Act
4 shall be available for use by a Military Department to
5 modify an aircraft, weapon, ship or other item of equip-
6 ment, that the Military Department concerned plans to
7 retire or otherwise dispose of within five years after com-
8 pletion of the modification: *Provided*, That this prohibition
9 shall not apply to safety modifications: *Provided further*,
10 That this prohibition may be waived by the Secretary of
11 a Military Department if the Secretary determines it is
12 in the best national security interest of the ~~(154)country~~
13 *United States* to provide such waiver and so notifies the
14 congressional defense committees in writing.

15 SEC. 8080. No part of the funds in this Act shall
16 be available to prepare or present a request to the Com-
17 mittees on Appropriations for reprogramming of funds,
18 unless for higher priority items, based on unforeseen mili-
19 tary requirements, than those for which originally appro-
20 priated and in no case where the item for which
21 reprogramming is requested has been denied by the Con-
22 gress.

23 ~~(155)~~SEC. 8081. None of the funds appropriated by
24 this Act shall be available for payment of the compensa-
25 tion of personnel assigned to or serving in the National

1 Foreign Intelligence Program in excess of 94 percent of
2 such personnel actually assigned to or serving in the Na-
3 tional Foreign Intelligence Program on September 30,
4 1992: *Provided*, That in making any reduction in the num-
5 ber of such personnel that may be required pursuant to
6 this section, the percentage of reductions to Senior Intel-
7 ligence Service positions shall be equal to or exceed the
8 percentage of reductions to non-Senior Intelligence Service
9 positions: *Provided further*, That in making any reduction
10 in the number of such personnel that may be required pur-
11 suant to this section, the percentage of reductions to posi-
12 tions in the National Capital Region shall be equal to or
13 exceed the percentage of reductions to positions outside
14 of the National Capital Region.

15 *SEC. 8081. In addition to amounts appropriated or*
16 *otherwise made available by this Act, \$97,000,000 is hereby*
17 *appropriated and shall be available for liquidating defi-*
18 *ciencies in the amounts specified in the appropriations*
19 *“National Guard Personnel, Army, 1992”, \$10,000,000;*
20 *“National Guard Personnel, Army, 1993”, \$75,000,000;*
21 *and “Reserve Personnel, Army, 1993”, \$12,000,000.*

22 SEC. 8082. None of the funds provided by this Act
23 may be used to pay the salaries of any person or persons
24 who authorize the transfer of obligated and deobligated

1 appropriations into the Reserve for Contingencies of the
2 Central Intelligence Agency.

3 SEC. 8083. None of the funds appropriated by this
4 Act for programs of the Central Intelligence Agency shall
5 remain available for obligation beyond the current fiscal
6 year, except for funds appropriated for the Reserve for
7 Contingencies, which shall remain available until Septem-
8 ber 30, 1996.

9 SEC. 8084. The classified Annex prepared by the
10 Committee on Appropriations to accompany the report on
11 the Department of Defense Appropriations Act, 1995 is
12 hereby incorporated into this Act: *Provided*, That the
13 amounts specified in the classified Annex are not in addi-
14 tion to amounts appropriated by other provisions of this
15 Act: *Provided further*, That the President shall provide for
16 appropriate distribution of the classified Annex, or of ap-
17 propriate portions of the classified Annex, within the exec-
18 utive branch of the Government.

19 SEC. 8085. Notwithstanding any other provision of
20 law, funds made available in this Act for the Defense In-
21 telligence Agency may be used for the design, develop-
22 ment, and deployment of General Defense Intelligence
23 Program intelligence communications and intelligence in-
24 formation systems for the Services, the Unified and Speci-
25 fied Commands, and the component commands.

1 ~~(156)SEC. 8086.~~ None of the funds appropriated by
2 this Act shall be available for the planning, programming
3 or actual movement of any component or function of the
4 Defense Mapping Agency Aerospace Center annex from
5 the St. Louis, Missouri area.

6 *SEC. 8086. None of the funds appropriated by this Act*
7 *may be used to pay health care providers under the Civilian*
8 *Health and Medical Program of the Uniformed Services*
9 *(CHAMPUS) for services determined under the CHAMPUS*
10 *Peer Review Organization (PRO) Program to be not medi-*
11 *cally or psychologically necessary. The Secretary of Defense*
12 *may by regulation adopt any quality and utilization review*
13 *requirements and procedures in effect for the Peer Review*
14 *Organization Program under title XVIII of the Social Secu-*
15 *rity Act (Medicare) that the Secretary determines necessary,*
16 *and may adapt the Medicare requirements and procedures*
17 *to the circumstances of the CHAMPUS PRO Program as*
18 *the Secretary determines appropriate.*

19 SEC. 8087. Notwithstanding any other provision of
20 law, reimbursements received from the North Atlantic
21 Treaty Organization for the E-3 Airborne Warning and
22 Control System (AWACS) Radar System Improvement
23 Program (RSIP) attributable to development work for fis-
24 cal years 1987 through 1992 shall be available to the Air

1 Force until September 30, 1995, for meeting that service's
2 financial commitments for the AWACS RSIP.

3 SEC. 8088. (a) None of the funds appropriated or
4 otherwise made available in this Act may be used to trans-
5 port or provide for the transportation of chemical muni-
6 tions to the Johnston Atoll for the purpose of storing or
7 demilitarizing such munitions.

8 (b) The prohibition in subsection (a) shall not apply
9 to any obsolete World War II chemical munition of the
10 United States found in the World War II Pacific Theater
11 of Operations.

12 (c) The President may suspend the application of
13 subsection (a) during a period of war in which the United
14 States is a party.

15 SEC. 8089. Notwithstanding any other provision of
16 law, funds made available in this Act and in the fiscal year
17 1994 Department of Defense Appropriations Act (Public
18 Law 103-139) under the heading "Procurement, Defense-
19 Wide" shall be available to pay equitable adjustments to
20 which the contractor is legally entitled for Coastal Patrol
21 Craft that were procured in prior fiscal years.

22 ~~(157)SEC. 8090. Notwithstanding any other provi-~~
23 ~~sion of law, funds appropriated in this Act for the High~~
24 ~~Performance Computing Modernization Plan shall be~~
25 ~~made available only for the upgrade, purchase, or mod-~~

1 ernization of supercomputing capability and capacity at all
2 DOD high performance computing sites: *Provided, That*
3 ~~contracts, contract modifications, or contract options are~~
4 ~~awarded as the result of full and open competition based~~
5 ~~upon the requirements of the users.~~

6 *SEC. 8090. Notwithstanding any other provision of*
7 *law, funds appropriated in this Act for the upgrade, pur-*
8 *chase, or modernization of supercomputing capability and*
9 *capacity under the High Performance Computing Mod-*
10 *ernization program shall only be available for contracts,*
11 *contract modifications, or contract options which are*
12 *awarded as the result of open competition based upon the*
13 *requirements of the users without regard to the architecture*
14 *or design of the supercomputer system.*

15 SEC. 8091. Amounts collected for the use of the fa-
16 cilities of the National Science Center for Communications
17 and Electronics during the current fiscal year pursuant
18 to section 1459(g) of the Department of Defense Author-
19 ization Act, 1986 and deposited to the special account es-
20 tablished under subsection 1459(g)(2) of that Act are ap-
21 propriated and shall be available until expended for the
22 operation and maintenance of the Center as provided for
23 in subsection 1459(g)(2).

24 SEC. 8092. The Secretary of Defense and the Direc-
25 tor of Central Intelligence shall deliver, no later than Jan-

1 uary 1, 1995, a report providing the following information
2 about all research and development projects involving the
3 implementation, monitoring, or verification of current and
4 projected international arms control agreements: (a) an-
5 nual and total budgets, goals, schedules, and priorities; (b)
6 relationships among related projects being funded by the
7 Department of Defense, the National Foreign Intelligence
8 Program, and other departments and agencies of the Fed-
9 eral Government; and (c) comments by the Arms Control
10 and Disarmament Agency about the relevance of each
11 project to the arms control priorities of the United States.

12 ~~(158)SEC. 8093. Notwithstanding any other provi-~~
13 ~~sion of law, none of the funds appropriated in this or any~~
14 ~~other Act shall be used for the purchase of a totally en-~~
15 ~~closed lifeboat survival system, which consists of the life-~~
16 ~~boat and associated davits and winches, if less than 75~~
17 ~~percent of the entire system's components are manufac-~~
18 ~~tured in the United States, and if less than 75 percent~~
19 ~~of the labor in the manufacture and assembly of the entire~~
20 ~~system is performed in the United States.~~

21 *SEC. 8093. None of the funds appropriated in this Act*
22 *may be used to fill the commander's position at any mili-*
23 *tary medical facility with a health care professional unless*
24 *the prospective candidate can demonstrate professional ad-*
25 *ministrative skills.*

1 ~~(159)SEC. 8094.~~ (a) None of the funds appropriated
 2 in this Act may be expended by an entity of the Depart-
 3 ment of Defense unless the entity, in expending the funds,
 4 complies with the Buy American Act. For purposes of this
 5 subsection, the term “Buy American Act” means title III
 6 of the Act entitled “An Act making appropriations for the
 7 Treasury and Post Office Departments for the fiscal year
 8 ending June 30, 1934, and for other purposes”, approved
 9 March 3, 1933 (41 U.S.C. 10a et seq.).

10 ~~(b)~~ If the Secretary of Defense determines that a per-
 11 son has been convicted of intentionally affixing a label
 12 bearing a “Made in America” inscription to any product
 13 sold in or shipped to the United States that is not made
 14 in America, the Secretary shall determine, in accordance
 15 with section 2410f of title 10, United States Code, wheth-
 16 er the person should be debarred from contracting with
 17 the Department of Defense.

18 *SEC. 8094. Of the funds appropriated to the Depart-*
 19 *ment of Defense (DOD) for Operation and Maintenance,*
 20 *Defense-Wide, not less than \$8,000,000 shall be made avail-*
 21 *able until expended to the Administration for Native Amer-*
 22 *icans within 90 days of enactment of this Act: Provided,*
 23 *That such funds shall be made available only for the mitiga-*
 24 *tion of environmental impacts, including training and*
 25 *technical assistance to tribes, related administrative sup-*

1 port, the gathering of information, documenting of environ-
2 mental damage, and developing a system for prioritization
3 of mitigation, on Indian lands resulting from Department
4 of Defense activities: Provided further, That the Department
5 of Defense shall provide to the Committees on Appropria-
6 tions of the Senate and House of Representatives by Sep-
7 tember 30, 1995, a summary report of all environmental
8 damage that has occurred on Indian land as a result of
9 DOD activities, to include, to the extent feasible, a list of
10 all documents and records known to the Department that
11 describe the activity or action causing or relating to such
12 environmental damage.

13 SEC. 8095. None of the funds available to the De-
14 partment of Defense in this Act shall be used by the Sec-
15 retary of a military department to purchase coal or coke
16 from foreign nations for use at United States defense fa-
17 cilities in Europe when coal from the United States is
18 available.

19 SEC. 8096. None of the funds appropriated or other-
20 wise made available by this Act may be used for a defense
21 technology reinvestment project that is not selected pursu-
22 ant to the applicable competitive selection and other proce-
23 dures set forth in chapter 148 of title 10, United States
24 Code(160): Provided, That notwithstanding any other
25 provision of law, funds appropriated for the Advanced Re-

1 search Projects Agency defense reinvestment program ele-
 2 ment under the heading "Research, Development, Test and
 3 Evaluation, Defense-Wide" shall not be obligated until the
 4 Secretary of Defense has ensured that the Assistant Sec-
 5 retaries for Research, Development, and Acquisition of the
 6 separate Military Departments are full members of the De-
 7 fense Technology Conversion Council and are fully inte-
 8 grated into the process of selecting dual-use technology focus
 9 areas for such programs and evaluating proposals for such
 10 projects: Provided further, That notwithstanding any other
 11 provision of law, of the funds appropriated for defense rein-
 12 vestment programs under the heading "Research, Develop-
 13 ment, Test and Evaluation, Defense-Wide", \$150,000,000
 14 may only be obligated for projects selected as a result of
 15 a competition held by the Advanced Research Projects Agen-
 16 cy in focus areas selected exclusively by the Assistant Sec-
 17 retaries for Research, Development, and Acquisition of the
 18 separate Military Departments: Provided further, That in
 19 addition to the restriction contained in the preceding provi-
 20 sos, the competition in focus areas shall be conducted in
 21 accordance with other unaffected statutory provisions of the
 22 Defense Conversion, Reinvestment, and Transition Assist-
 23 ance Amendments of 1993.

24 ~~(161)SEC. 8097.~~ None of the funds appropriated in
 25 this Act are available for development of bi-static active

1 capability in SURTASS unless the acoustic signal process-
2 ing for this capability is hosted exclusively on the AN/
3 UYS-2 in the operational system.

4 *SEC. 8097. (a) Not later than April 1, 1995, the Sec-*
5 *retary of Defense shall submit to the Congressional defense*
6 *committees a management plan for the major university-*
7 *affiliated research centers which support the Department of*
8 *Defense.*

9 *(b) The master plan required by the preceding sub-*
10 *section shall—*

11 *(1) establish annual funding and manpower ceil-*
12 *ings for each institution, and a total annual funding*
13 *and manpower ceiling;*

14 *(2) describe in detail what specific actions are*
15 *being taken to increase management of these institu-*
16 *tions by the Office of the Secretary of Defense, and to*
17 *reduce future annual funding; and*

18 *(3) explain the contracting arrangement with*
19 *each institution, including an evaluation of whether*
20 *contracts for future efforts should be competitively*
21 *awarded.*

22 *(c) For the purposes of this section, the term “major”*
23 *shall apply to institutions which receive more than*
24 *\$2,000,000 annually from the Department of Defense.*

1 SEC. 8098. None of the funds appropriated by this
2 Act shall be available for a contract for studies, analyses,
3 or consulting services entered into without competition on
4 the basis of an unsolicited proposal unless the head of the
5 activity responsible for the procurement determines—

6 (1) as a result of thorough technical evaluation,
7 only one source is found fully qualified to perform
8 the proposed work, or

9 (2) the purpose of the contract is to explore an
10 unsolicited proposal which offers significant sci-
11 entific or technological promise, represents the prod-
12 uct of original thinking, and was submitted in con-
13 fidence by one source, or

14 (3) the purpose of the contract is to take ad-
15 vantage of unique and significant industrial accom-
16 plishment by a specific concern, or to insure that a
17 new product or idea of a specific concern is given fi-
18 nancial support:

19 *Provided*, That this limitation shall not apply to contracts
20 in an amount of less than \$25,000, contracts related to
21 improvements of equipment that is in development or pro-
22 duction, or contracts as to which a civilian official of the
23 Department of Defense, who has been confirmed by the
24 Senate, determines that the award of such contract is in
25 the interest of the national defense.

1 **(162)**SEC. 8099. Notwithstanding any other provi-
2 sion of law, the Secretary of the Navy shall obligate funds
3 made available in the fiscal year 1993 Department of De-
4 fense Appropriations Act (Public Law 102-396) and the
5 fiscal year 1994 Department of Defense Appropriations
6 Act (Public Law 103-139) under the heading "Aircraft
7 Procurement, Navy" for the USH-42 mission recorder for
8 S-3 aircraft.

(TRANSFER OF FUNDS)

10 *SEC. 8099. Upon enactment of this Act, the Secretary*
11 *of Defense shall make the following transfers of funds: Pro-*
12 *vided, That the amounts transferred shall be available for*
13 *the same purposes as the appropriations to which trans-*
14 *ferred, and for the same time period as the appropriation*
15 *from which transferred: Provided further, That the amounts*
16 *shall be transferred between the following appropriations in*
17 *the amounts specified:*

18 *From:*

19 Under the heading, “Shipbuilding and Conver-
20 sion, Navy, 1986/1990”:

21 *CG-47 cruiser program, \$6,000,000;*

22 *LSD-41 landing ship dock program,*
23 *\$1,700,000;*

24 *T-AGOS ocean surveillance ship program,*
25 *\$5,000,000;*

1 *For craft, outfitting, post delivery, and cost*
2 *growth, \$2,438,000;*

3 *To:*

4 *Under the heading, “Shipbuilding and Conver-*
5 *sion, Navy, 1986/90”:*

6 *SSN-688 attack submarine program,*
7 *\$11,719,000;*

8 *MSH coastal mine hunter program,*
9 *\$3,419,000;*

10 *From:*

11 *Under the heading, “Shipbuilding and Conver-*
12 *sion, Navy, 1987/1991”:*

13 *TRIDENT ballistic missile submarine pro-*
14 *gram, \$650,000;*

15 *DDG-51 destroyer program, \$633,000;*

16 *CG-47 cruiser program, \$283,000;*

17 *T-AO fleet oiler program, \$2,800,000;*

18 *AO conversion program, \$400,000;*

19 *For craft, outfitting, and post delivery,*
20 *\$5,900,000;*

21 *Under the heading, “Shipbuilding and Conver-*
22 *sion, Navy, 1988/1992”:*

23 *CG-47 cruiser program, \$5,145,000;*

24 *Weapons Procurement, Navy, 1993/1995,*
25 *\$18,069,000;*

1 *To:*

2 *Under the heading, “Shipbuilding and Conver-*
3 *sion, Navy, 1987/1991”:*

4 *SSN-688 attack submarine program,*
5 *\$18,496,000;*

6 *AOE fast combat support ship program,*
7 *\$15,384,000;*

8 *From:*

9 *Under the heading, “Shipbuilding and Conver-*
10 *sion, Navy, 1988/1992”:*

11 *CG-47 cruiser program, \$11,993,000;*

12 *LSD-41 cargo variant ship program,*
13 *\$4,773,000;*

14 *LHD-1 amphibious assault ship program,*
15 *\$7,028,000;*

16 *AO conversion program, \$1,900,000;*

17 *To:*

18 *Under the heading, “Shipbuilding and Conver-*
19 *sion, Navy, 1988/1992”:*

20 *TRIDENT ballistic missile submarine pro-*
21 *gram, \$6,035,000;*

22 *SSN-688 attack submarine program,*
23 *\$19,659,000;*

24 *From:*

1 *Under the heading, “Shipbuilding and Conver-*
2 *sion, Navy, 1989/1993”:*

3 *LHD-1 amphibious assault ship program,*
4 *\$3,400,000;*

5 *T-AO fleet oiler program, \$3,488,000;*

6 *T-AGOS surveillance ship program,*
7 *\$3,197,000;*

8 *AO conversion program, \$1,300,000;*

9 *Weapons Procurement, Navy, 1993/1995,*
10 *\$178,000;*

11 *Other Procurement, Navy, 1993/1995,*
12 *\$22,400,000;*

13 *Research, Development, Test and Evalua-*
14 *tion, Navy, 1994/1995, \$41,700,000;*

15 *To:*

16 *Under the heading, “Shipbuilding and Conver-*
17 *sion, Navy, 1989/1993”:*

18 *SSN-688 attack submarine program,*
19 *\$18,939,000;*

20 *SSN-21 attack submarine program,*
21 *\$37,123,000;*

22 *MHC coastal mine hunter program,*
23 *\$1,700,000;*

24 *AOE combat support ship program,*
25 *\$17,901,000;*

1 *From:*

2 *Under the heading, “Shipbuilding and Conver-*
3 *sion, Navy, 1990/1994”:*

4 *TRIDENT ballistic submarine program,*
5 *\$2,400,000;*

6 *Aircraft carrier service life extension pro-*
7 *gram, \$346,000;*

8 *MCM mine countermeasures program,*
9 *\$657,000;*

10 *Oceanographic ship program, \$3,964,000;*

11 *LCAC landing craft air cushion program,*
12 *\$1,188,000;*

13 *Aircraft Procurement, Navy, 1993/1995,*
14 *\$6,000,000;*

15 *Weapons Procurement, Navy, 1993/1995,*
16 *\$6,753,000;*

17 *Other Procurement, Navy, 1994/1996,*
18 *\$1,297,000;*

19 *To:*

20 *Under the heading, “Shipbuilding and Conver-*
21 *sion, Navy, 1990/1994”:*

22 *SSN-688 attack submarine program,*
23 *\$9,046,000;*

24 *MHC coastal mine hunter program,*
25 *\$3,575,000;*

1 AOE combat support ship program,
2 \$9,984,000;

3 *From:*

4 Under the heading, “Shipbuilding and Conver-
5 sion, Navy, 1991/1995”:

6 TRIDENT ballistic missile submarine pro-
7 gram, \$39,500,000;

8 DDG-51 destroyer program, \$8,200,000;

9 LSD-41 dock landing ship cargo variant
10 ship program, \$22,427,000;

11 Aircraft Procurement, Navy, 1994/1996,
12 \$17,000,000;

13 Other Procurement, Navy, 1994/1996,
14 \$666,000;

15 Procurement, Marine Corps, 1993/1995,
16 \$6,600,000;

17 *To:*

18 Under the heading, “Shipbuilding and Conver-
19 sion, Navy, 1991/1995”:

20 SSN-21 attack submarine program,
21 \$48,240,000;

22 LHD-1 amphibious assault ship program,
23 \$43,600,000;

24 MHC coastal mine hunter program,
25 \$2,553,000;

1 *From:*

2 *Under the heading, “Shipbuilding and Conver-*
3 *sion, Navy, 1992/1996”:*

4 *For craft, outfitting, post delivery, and*
5 *DBOF transfer, \$5,183,000;*

6 *Other Procurement, Navy, 1994/1996,*
7 *\$29,261,000;*

8 *To:*

9 *Under the heading, “Shipbuilding and Conver-*
10 *sion, Navy, 1992/1996”:*

11 *DDG–51 destroyer program, \$22,958,000;*

12 *MHC coastal mine hunter program,*
13 *\$11,486,000;*

14 *From:*

15 *Weapons Procurement Navy, 1993/1995,*
16 *\$30,000,000;*

17 *Other Procurement, Navy, 1994/1996,*
18 *\$38,438,000;*

19 *To:*

20 *Under the heading, “Shipbuilding and Conver-*
21 *sion, Navy, 1993/1997”:*

22 *DDG–51 destroyer program, \$26,894,000;*

23 *LSD–41 cargo variant ship program,*
24 *\$5,663,000;*

1 MHC coastal mine hunter program,
2 \$7,615,000;

3 AOE combat support ship program,
4 \$28,266,000;

5 From:

6 Under the heading, “Shipbuilding and Conver-
7 sion, Navy, 1994/1998”:

8 For craft, outfitting, post delivery, and first
9 destination transportation, \$5,000,000;

10 Weapons Procurement, Navy, 1994/1996,
11 \$14,000,000;

12 Other Procurement, Navy, 1994/1996,
13 \$435,000;

14 To:

15 Under the heading, “Shipbuilding and Conver-
16 sion, Navy, 1994/1998”:

17 LHD-1 amphibious assault ship program,
18 \$15,131,000;

19 Oceanographic ship program, \$4,304,000.

20 SEC. 8100. It is the sense of Congress that none of
21 the funds appropriated or otherwise made available by this
22 Act should be available for the purposes of deploying
23 United States Armed Forces to participate in the imple-
24 mentation of a peace settlement in Bosnia-Herzegovina,
25 unless previously authorized by the Congress.

1 (163)(TRANSFER OF FUNDS)

2 SEC. 8101. In addition to any other transfer author-
3 ity contained in this Act, funding appropriated under the
4 heading “Operation and Maintenance, Defense-Wide” for
5 increasing energy and water efficiency in Federal build-
6 ings may be transferred to other appropriations or funds
7 of the Department of Defense, to be merged with and to
8 be available for the same purposes, and for the same time
9 period, as the appropriation or fund to which transferred.

10 *SEC. 8101. None of the funds provided in this Act may*
11 *be obligated to initiate a program, or project, or award a*
12 *new contract to modify or upgrade the B-1, B-2, or B-*
13 *52 aircraft until the Secretary of Defense has submitted a*
14 *cost and operational effectiveness analysis for Air Force*
15 *bomber programs to the Committees on Appropriations and*
16 *Armed Services of the Senate and House of Representatives:*
17 *Provided, That this section shall not apply to safety of flight*
18 *modifications.*

19 SEC. 8102. Funds appropriated by this Act for intel-
20 ligence activities are deemed to be specifically authorized
21 by the Congress for purposes of section 504 of the Na-
22 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
23 year 1995 until the enactment of the Intelligence Author-
24 ization Act for fiscal year 1995.

1 ~~(164)~~SEC. 8103. (1) Except as provided in sub-
2 section (c) below, it is the sense of the Congress that none
3 of the funds appropriated by this Act should be obligated
4 or expended for costs incurred by the United States
5 Armed Forces units serving in any international peace-
6 keeping or peace-enforcement operations under the au-
7 thority of Chapter VI or Chapter VII of the United Na-
8 tions Charter and under the authority of a United Nations
9 Security Council Resolution, or for costs incurred by Unit-
10 ed States Armed Forces serving in any significant inter-
11 national humanitarian, peacekeeping or peace-enforce-
12 ment operations, unless—

13 (a) the President initiates consultations with
14 the bi-partisan leadership of Congress, including the
15 leadership of the relevant committees, regarding
16 such operations; these consultations should be initi-
17 ated at least fifteen days prior to the initial deploy-
18 ment of United States Armed Forces units to par-
19 ticipate in such an operation, whenever possible, but
20 in no case later than forty-eight hours after such a
21 deployment; and these consultations should continue
22 on a periodic basis throughout the period of the de-
23 ployment;

24 (b) such consultation should include discussion
25 of—

1 ~~(1) the goals of the operation and the mis-~~
2 ~~sion of any United States Armed Forces units~~
3 ~~involved in the operation;~~

4 ~~(2) the United States interests that will be~~
5 ~~served by the operation;~~

6 ~~(3) the estimated cost of the operation;~~

7 ~~(4) the strategy by which the President~~
8 ~~proposes to fund the operation, including pos-~~
9 ~~sible supplemental appropriations or payments~~
10 ~~from international organizations, foreign coun-~~
11 ~~tries or other donors;~~

12 ~~(5) the extent of involvement of armed~~
13 ~~forces and other contributions of personnel~~
14 ~~from other nations; and~~

15 ~~(6) the operation's anticipated duration~~
16 ~~and scope;~~

17 ~~(c) subsection (a) does not apply with respect to~~
18 ~~an international humanitarian assistance operation~~
19 ~~carried out in response to natural disasters; or to~~
20 ~~any other international humanitarian assistance op-~~
21 ~~eration if the President reports to Congress that the~~
22 ~~estimated cost of such operation is less than~~
23 ~~\$50,000,000.~~

24 ~~(2) Further, it is the sense of the Congress that the~~
25 ~~President should seek supplemental appropriations for any~~

1 significant deployment of United States Armed Forces
 2 when such forces are to perform or have been performing
 3 international humanitarian, peacekeeping or peace-en-
 4 forcement operations.

5 *SEC. 8103. None of the funds available to the Depart-*
 6 *ment of Defense during fiscal year 1995 may be obligated*
 7 *or expended to reimburse States which are parties to the*
 8 *Treaty on the Elimination of Intermediate-Range and*
 9 *Shorter-Range Missiles concluded on December 8, 1987, and*
 10 *the Treaty on the Reduction and Limitation of Strategic*
 11 *Offensive Arms, concluded July 31, 1991, for costs allocated*
 12 *to such States by either of those treaties where such costs*
 13 *are incurred in support of inspections conducted by the*
 14 *United States: Provided, That the limitation in this section*
 15 *shall not apply if the Senate of the United States gives its*
 16 *advice and consent to the ratification of an amendment to*
 17 *those treaties which changes the financial obligations of the*
 18 *parties to those treaties with respect to inspection costs.*

19 **(165)(INCLUDING TRANSFER OF FUNDS)**

20 ~~SEC. 8104. Balances of the funds appropriated in~~
 21 ~~Public Laws 102-172, 102-396, and 103-139, under the~~
 22 ~~headings “World University Games”, “Summer Olym-~~
 23 ~~pics”, and “World Cup USA 1994” in title II of those~~
 24 ~~Acts shall be merged into a single account entitled “Sup-~~
 25 ~~port for International Sporting Competitions, Defense”, to~~

1 remain available until expended: *Provided further*, That
2 such account shall be available for the purpose of liquidat-
3 ing obligations incurred under the appropriations from
4 which funds are transferred pursuant to the provisions of
5 this section and for providing support to the 1996 Games
6 of the XXVI Olympiad to be held in Atlanta, Georgia,
7 under the terms and conditions specified in those Acts
8 under the headings “Summer Olympics” and for providing
9 support to any other international sporting competitions,
10 as provided for in Authorization or Appropriations Acts,
11 during the current fiscal year and thereafter.

12 *SEC. 8104. The Secretary of Defense shall ensure that*
13 *all applicable DOD regulations and component command,*
14 *installation, or agency policies and procedures governing*
15 *temporary duty travel on official military business to the*
16 *States of Hawaii and Alaska require no higher levels of ap-*
17 *proval or stricter controls than travel within the continental*
18 *United States.*

19 ~~(166)SEC. 8105.~~ Of the funds appropriated in this
20 Act, not to exceed \$68,000,000 may be used for the pur-
21 chase or construction of vessels for the Ready Reserve
22 Force component of the National Defense Reserve Fleet,
23 as established by section 11 of the Merchant Ship Sales
24 Act of 1946 (50 U.S.C. App. 1744).

1 *SEC. 8105. None of the funds available to the Depart-*
2 *ment of Defense may be used to support the relocation of*
3 *P-3 aircraft squadrons or other aircraft or units from the*
4 *Naval Air Station at Barbers Point, Hawaii unless such*
5 *relocation was specifically stated in the 1993 Report to the*
6 *President of the Defense Base Closure and Realignment*
7 *Commission.*

8 **(167)**~~SEC. 8106.~~ After September 1, 1995, none of
9 the funds in this Act are available for research, develop-
10 ment, acquisition, or launch of Titan IV expendable
11 launch vehicles: *Provided*, That the above provision shall
12 not apply if the Secretary of Defense certifies to the Con-
13 gress a plan for the development of and initiation of a
14 competition for a family of launch vehicles that is—

15 (1) capable of launching both medium and
16 heavy payloads,

17 (2) fully funded in the outyears, and

18 (3) scheduled to be available prior to the launch
19 of the 41st Titan IV expendable launch vehicle:

20 *Provided further*, That MILSTAR satellites 1 through 6
21 shall be launched on vehicles being procured as a part of
22 the current contract for 41 Titan IV launch vehicles: *Pro-*
23 *vided further*, That none of the funds in this Act may be
24 used to procure more than 41 Titan IV expendable launch
25 vehicles.

1 *SEC. 8106. In the case of members who separate from*
2 *active duty or full-time National Guard duty in a military*
3 *department pursuant to a Special Separation Benefits pro-*
4 *gram (10 U.S.C. Sec. 1174a) or a Voluntary Separation*
5 *Incentive program (10 U.S.C. Sec. 1175) at any time after*
6 *the enactment of this Act, the separation payments paid*
7 *such members who are also paid any bonus provided for*
8 *in chapter 5, title 37, United States Code, during the same*
9 *years in which they separate shall be reduced (but in no*
10 *event to an amount less than zero) by an amount equal*
11 *to any such bonus: Provided, That any future bonus pay-*
12 *ments to which such members would otherwise be entitled*
13 *are rescinded: Provided further, That this measure will not*
14 *apply to members who separate during the last year of a*
15 *bonus paid pursuant to chapter 5, title 37, United States*
16 *Code: Provided further, That civilian employees of the De-*
17 *partment of Defense are prohibited from receiving vol-*
18 *untary separation payments if such employees are rehired*
19 *by any agency of the Federal Government within one hun-*
20 *dred and eighty days of separating from the Department*
21 *of Defense: Provided further, That members who separate*
22 *from active duty or full-time National Guard duty in a*
23 *military department at any time after the enactment of this*
24 *Act, are prohibited from receiving Special Separation Bene-*
25 *fits program (10 U.S.C. Sec. 1174a) or Voluntary Separation*

1 *tion Incentive program (10 U.S.C. Sec. 1175) payments if*
 2 *rehired by the Department of Defense within one hundred*
 3 *and eighty days of separating from active duty or full-time*
 4 *National Guard Duty.*

5 **(168)**SEC. 8107. Notwithstanding any other provi-
 6 sion of law, of the funds appropriated to the Department
 7 of the Navy for Operation and Maintenance, not less than
 8 \$3,000,000 shall be obligated and expended only for oper-
 9 ation and maintenance, purchase of automatic data proc-
 10 essing equipment, or in-house central design development
 11 for the Naval Reserve Force Information Systems Office,
 12 the Navy Reserve Personnel Center, the Enlisted Person-
 13 nel Management Center, and the collocated Naval Com-
 14 puter and Telecommunications Station: *Provided, That*
 15 *notwithstanding any other provision of law, of the funds*
 16 *appropriated to the Department of Defense for Procure-*
 17 *ment, Defense-Wide not less than \$10,000,000 shall be*
 18 *obligated and expended only for automatic data processing*
 19 *equipment or software, or in-house central design develop-*
 20 *ment for the Naval Reserve Force Information Systems*
 21 *Office, the Naval Reserve Personnel Center, the Enlisted*
 22 *Personnel Management Center and the collocated Naval*
 23 *Computer and Telecommunications Station: Provided fur-*
 24 *ther, That the Secretary of the Navy shall establish the*
 25 *Naval Reserve Force Information Systems Office, the En-*

1 listed Personnel Management Center, and the collocated
 2 Naval Computer and Telecommunications Station, as the
 3 designers, developers, managers, integrators and central
 4 design activity for the software development and mainte-
 5 nance of the Naval active and reserve Single Source Data
 6 Collection System.

7 (TRANSFER OF FUNDS)

8 *SEC. 8107. Within amounts appropriated in this Act,*
 9 *\$5,000,000 shall be made available for pay and allowances*
 10 *for the Office of the Assistant Secretary of Defense for Re-*
 11 *serve Affairs to be available only for support of Civil-Mili-*
 12 *tary Cooperation program operations, for transfer to appro-*
 13 *priations available to the Department of Defense for mili-*
 14 *tary personnel of the reserve components serving under the*
 15 *provisions of title 10 and title 32, United States Code: Pro-*
 16 *vided, That the funds made available by this paragraph*
 17 *shall be available for obligation for the same time period*
 18 *and for the same purpose as the appropriation to which*
 19 *transferred: Provided further, That the transfer authority*
 20 *provided in this paragraph is in addition to any transfer*
 21 *authority contained elsewhere in this Act.*

22 ~~(169)SEC. 8108.~~ **No funds available to the Depart-**
 23 **ment of Defense may be used to establish additional field**
 24 **operating agencies or field offices of any element of the**
 25 **Department during fiscal year 1995: *Provided, That after***
 26 **August 30, 1995, none of the funds available to the De-**

1 partment of Defense shall be used to support more than
 2 fifty percent of the field operating agencies or field offices
 3 of any element of the Department of Defense which were
 4 in existence on September 30, 1994.

5 *SEC. 8108. Notwithstanding any other provision of*
 6 *law, for resident classes entering the war colleges after Sep-*
 7 *tember 30, 1996, the Department of Defense shall require*
 8 *that not less than 20 percent of the total of United States*
 9 *military students at each war college shall be from military*
 10 *departments other than the hosting military department:*
 11 *Provided, That each military department will recognize the*
 12 *attendance at a sister military department war college as*
 13 *the equivalent of attendance at its own war college for pro-*
 14 *motion and advancement of personnel.*

15 **(170)SEC. 8109. None of the funds made available**
 16 **in this Act under the heading “Shipbuilding and Conver-**
 17 **sion, Navy” may be obligated for the DDG-51 destroyer**
 18 **program or the LHD-1 amphibious assault ship program**
 19 **until the fiscal year 1995 options for acquisition of sealift**
 20 **ships have been exercised.**

21 *SEC. 8109. None of the funds provided in this Act may*
 22 *be expended for the refurbishment of M61/20 mm Gatling*
 23 *Gun assets for domestic or foreign military sales unless the*
 24 *Department of the Air Force competes this work among*
 25 *qualified depots and commercial contractors.*

1 ~~(171)SEC. 8110.~~ None of the funds provided in this
2 Act may be used to procure crystal oscillator carriers, ce-
3 ramic package incorporating ceramic components joined
4 with glass (frit) or epoxy seals, or multi-layer co-fired sin-
5 gle chip ceramic packages unless such products are pro-
6 duced or manufactured in the United States: *Provided,*
7 That when adequate domestic supplies are not available
8 to meet Department of Defense requirements on a timely
9 basis, the Secretary of the service responsible for the pro-
10 curement may waive this restriction on a case-by-case
11 basis by certifying in writing to the Committees on Appro-
12 priations that such an acquisition must be made in order
13 to acquire capability for national security purposes.

14 *SEC. 8110. None of the funds provided in this Act may*
15 *be obligated or expended for the sale of zinc in the National*
16 *Defense Stockpile if zinc commodity prices decline more*
17 *than five percent below the London Metals Exchange market*
18 *price reported on the date of enactment of this Act.*

19 ~~(172)SEC. 8111.~~ Notwithstanding any other provi-
20 sion of law, funds made available in the fiscal year 1993
21 and 1994 Department of Defense Appropriations Acts for
22 the EA-6B program are to be used exclusively to begin
23 engineering changes that will increase the capability of the
24 Navy's EA-6B aircraft by insertion of the critical ele-
25 ments of the EA-6B ADVCAP receiver processor group

1 system into the on-board system and the addition of the
2 ALQ-149 Command, Control, and Communications coun-
3 termasure system: *Provided*, That these funds shall be
4 obligated no later than 120 days after enactment of this
5 Act: *Provided further*, That the Secretary of the Navy shall
6 obligate \$6,000,000 made available in the fiscal year 1994
7 Department of Defense Appropriations Act (Public Law
8 103-139) exclusively for the miniaturization of the EA-
9 6B RPG technology for use on the Navy's electronic war-
10 fare aircraft.

11 *SEC. 8111. Notwithstanding any other provision of*
12 *law, the Secretary of the Navy shall reimburse the*
13 *Muckleshoot Indian Tribe of Auburn, Washington, for costs*
14 *that have been validated as having been expended in the*
15 *development and submission of a base reuse plan for Puget*
16 *Sound Naval Air Station: Provided, That the Muckleshoot*
17 *Indian Tribe cost reimbursement claims shall be submitted*
18 *to and validated by the General Counsel of the Department*
19 *of Defense prior to reimbursement by the Secretary of the*
20 *Navy: Provided further, That in no case shall total reim-*
21 *bursments for these costs exceed \$600,000. The Secretary*
22 *may not pay the Muckleshoot Indian Tribe the reimburse-*
23 *ment otherwise required by the preceding sentence unless*
24 *the Tribe waives in writing all claims that the Tribe may*
25 *have against the United States or any agency or official*

1 *of the United States (in the official capacity of that offi-*
 2 *cial), against the State of Washington or any agency or*
 3 *official of the State of Washington (in the official capacity*
 4 *of that official), and against the City of Seattle, Washing-*
 5 *ton, or any agency or official of the City of Seattle, Wash-*
 6 *ington (in the official capacity of that official), regarding*
 7 *the disposal of the Puget Sound Naval Air Station.*

8 (TRANSFER OF FUNDS)

9 SEC. 8112. For the rehabilitation of damage caused
 10 to Rongelap Atoll by the nuclear testing program and for
 11 the resettlement of Rongelap Atoll, \$5,000,000 is appro-
 12 priated to the Department of Defense, which shall be
 13 transferred to the Department of the Interior for deposit
 14 into the Rongelap Resettlement Trust Fund.

15 ~~(173)~~SEC. 8113. None of the funds provided in this
 16 Act may be used to develop the Sustaining Base Informa-
 17 tion System until the Assistant Secretary of Defense for
 18 Command, Control, Communications and Intelligence has
 19 certified to the Armed Services and Appropriations Com-
 20 mittees of Congress that the Department of Defense has
 21 published a complete and comprehensive system functional
 22 description governing the acquisition and has received
 23 from the contractor an estimate of the number of lines
 24 of software code to implement such functional description
 25 and an estimate of the attendant cost: *Provided, That*
 26 none of the work content of the Sustaining Base Informa-

tion System contract may be performed instead by government in-house activities without being competed if such efforts are passed through government organizations to other than Sustaining Base Information System contractors.

SEC. 8113. PROHIBITION ON USE OF FUNDS FOR CERTAIN ACTIVITIES AT CAMERON STATION, VIRGINIA. (a) PROHIBITION.—None of the funds appropriated in this Act or otherwise made available to the Department of Defense may be obligated or expended by the Secretary of Defense for the execution pursuant to subsection (f) of section 501 of the Stewart B. McKinney Homeless Assistance Act of (42 U.S.C. 11411) of a lease, permit, or deed of conveyance for use to assist the homeless of any property described in subsection (b) until the Secretary of Health and Human Services, appropriate representatives of the City of Alexandria, Virginia, and representatives of the homeless whose applications for use of such property to assist the homeless have been approved by the Secretary of Health and Human Services under subsection (e)(3) of such section jointly determine that such use is reasonable under the redevelopment plan for Cameron Station, Virginia.

(b) COVERED PROPERTY.—Subsection (a) applies to the public buildings and real property located at Cameron Station, Virginia, which installation was approved for clo-

1 *sure pursuant to the provisions of title II of the Defense*
 2 *Authorization Amendments and Base Closure and Realign-*
 3 *ment Act (Public Law 100-526; 10 U.S.C. 2687 note).*

4 **(174)SEC. 8114.** The Assistant Secretary of Defense
 5 for Command, Control, Communications and Intelligence
 6 shall establish and implement a master plan for all acqui-
 7 sitions of automated document conversion systems, equip-
 8 ment, and technologies: *Provided*, That none of the funds
 9 in this Act may be used to develop technologies or to ac-
 10 quire new automated document conversion equipment,
 11 services, or systems which cost more than \$5,000,000
 12 after January 1, 1995 unless such acquisitions are ap-
 13 proved in advance by the Assistant Secretary or his des-
 14 ignee: *Provided further*, That of the funds appropriated to
 15 the Department of Defense for Procurement, Defense-
 16 Wide, not less than \$30,000,000 shall be used only to inte-
 17 grate the Automated Document Conversion System into
 18 the Joint Engineering Data Management and Information
 19 Control System.

20 *SEC. 8114. (a) IN GENERAL.—The fiscal year 1995 in-*
 21 *crease in military retired pay shall (notwithstanding sub-*
 22 *paragraph (B) of section 1401a(b)(2) of title 10, United*
 23 *States Code) first be payable as part of such retired pay*
 24 *for the month of March 1995.*

25 *(b) DEFINITIONS.—For the purposes of subsection (a):*

(175)Sec. 8115. Notwithstanding any other provision of law, none of the funds provided in this Act may be used to procure vessel propellers six feet in diameter and greater unless such propellers are manufactured in the United States incorporating only casting which are poured and finished in the United States. Nor may any of the funds provided in this Act be used to procure ship propulsion shafting unless such ship propulsion shafting is manufactured in the United States: *Provided*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

25 SEC. 8115. In addition to amounts appropriated or
26 otherwise made available by this Act, \$11,200,000 is hereby

1 *appropriated to the Department of Defense and shall be*
 2 *available only for transfer to the United States Coast Guard*
 3 *for a 2.6 percent pay increase for uniformed members.*

4 **(176)**~~(TRANSFER OF FUNDS)~~

5 SEC. 8116. Notwithstanding any other provision of
 6 law, \$16,300,000 made available in the fiscal year 1993
 7 Department of Defense Appropriations Act (Public Law
 8 102-396) for “Other Procurement, Navy” and
 9 \$5,900,000 made available in the fiscal year 1994 Depart-
 10 ment of Defense Appropriations Act (Public Law 103-
 11 139) for “Other Procurement, Navy” shall be transferred
 12 to “Research, Development, Test and Evaluation, Navy”
 13 for the SPS-48E program.

14 SEC. 8116. Notwithstanding any other provision of
 15 law, for education and training expenses not otherwise pro-
 16 vided for, \$119,000,000 is appropriated for aiding school
 17 districts in accordance with authority granted under Public
 18 Law 81-874.

19 **(177)**SEC. 8117. Notwithstanding any other provi-
 20 sion of law, the Department of Defense shall award con-
 21 tracts for the CHAMPUS Reform Initiative in California-
 22 Hawaii and the Managed Care Support initiative in Wash-
 23 ington-Oregon regions in sufficient time for the contrac-
 24 tors to begin to provide health care under those contracts
 25 no later than April 1, 1995 in California and Hawaii, and

1 not later than March 1, 1995 for Washington and Oregon,
2 or as soon thereafter as practicable.

3 *SEC. 8117. After April 15, 1995, none of the funds pro-*
4 *vided in this Act may be obligated for payment on contracts*
5 *on which allowable costs charged to the government include*
6 *payments for individual compensation in excess of the rate*
7 *of compensation of Level I of the Executive Schedule em-*
8 *ployees of the United States Government.*

9 ~~(178)~~SEC. 8118. None of the funds appropriated in
10 this Act shall be used for the recruitment or enrollment
11 of a new student or class of students at the Uniformed
12 Services University of the Health Sciences.

13 ~~(179)~~SEC. 8119. None of the funds appropriated or
14 made available by this Act shall be obligated to procure
15 active matrix liquid crystal displays unless the displays,
16 including the active and passive plates, are produced or
17 manufactured in the United States by a domestic-owned
18 and domestic-operated entity: *Provided*, That the Sec-
19 retary of the military department or head of a Defense
20 Agency responsible for the procurement may waive this
21 restriction on a case-by-case basis by certifying in writing
22 to the Committees on Appropriations of the House of Rep-
23 resentatives and the Senate that adequate domestic sup-
24 plies are not available to meet Department of Defense re-
25 quirements on a timely basis and that such an acquisition

1 must be made in order to acquire capability for national
2 security purposes: *Provided further*, That these restrictions
3 shall not apply to contracts which are in being as of the
4 date of enactment of this Act.

5 SEC. 8120. None of the funds appropriated in this
6 Act to the Department of the Army may be obligated for
7 procurement of 120mm mortars or 120mm mortar ammu-
8 nition manufactured outside of the United States.

9 ~~(180)~~SEC. 8121. The total amount appropriated to
10 or for the use of the Department of Defense by this Act
11 for research, development, test and evaluation for manage-
12 ment support is hereby reduced by \$30,000,000: *Provided*,
13 That the Secretary of Defense shall allocate the amount
14 reduced in the preceding sentence and not later than De-
15 cember 31, 1994, report to the Senate and the House
16 Committees on Appropriations and Armed Services how
17 this reduction was allocated among the services and De-
18 fense Agencies.

19 ~~(181)~~SEC. 8121. (a) *STUDY*.—The Secretary of De-
20 fense shall conduct a study of the receipt of benefits under
21 the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) by the
22 members of the Armed Forces. The study shall include the
23 following elements:

24 (1) The number of members of the Armed Forces
25 who are eligible to receive benefits under that Act.

1 (2) *The number of such members who receive*
2 *benefits under that Act.*

3 (3) *The location by State and region of the mem-*
4 *bers referred to in paragraphs (1) and (2).*

5 (4) *An estimate of the cost of raising the rate of*
6 *basic pay of members of the Armed Forces to a rate*
7 *at which such members would no longer be eligible to*
8 *receive benefits under that Act.*

9 (b) *REPORT.—The Secretary shall submit to Congress*
10 *a report on the study required under subsection (b) not later*
11 *than 180 days after the date of the enactment of this Act.*

12 **(182)** *SEC. 8122. (a) The Secretary of Defense shall*
13 *submit, on a quarterly basis, a report to the appropriate*
14 *congressional committees setting forth all costs (including*
15 *incremental costs) incurred by the Department of Defense*
16 *during the preceding quarter in implementing or support-*
17 *ing resolutions of the United Nations Security Council, in-*
18 *cluding any such resolution calling for international sanc-*
19 *tions, international peacekeeping operations, and humani-*
20 *tarian missions undertaken by the Department of Defense.*
21 *The quarterly report shall include an aggregate of all such*
22 *Department of Defense costs by operation or mission.*

23 (b) *The Secretary of Defense shall detail in the quar-*
24 *terly reports all efforts made to seek credit against past*
25 *United Nations expenditures and all efforts made to seek*

1 *compensation from the United Nations for costs incurred*
 2 *by the Department of Defense in implementing and sup-*
 3 *porting United Nations activities.*

4 (c) *As used in this section, the term “appropriate con-*
 5 *gressional committees” means—*

6 (1) *the Committees on Appropriations of the*
 7 *House of Representatives and the Senate;*

8 (2) *the Committees on Armed Services of the*
 9 *House of Representatives and the Senate; and*

10 (3) *the Committee on Foreign Relations of the*
 11 *Senate and the Committee on Foreign Affairs of the*
 12 *House of Representatives.*

13 **(183)SEC. 8123. ADDITIONAL COUNTRIES ELIGIBLE FOR**
 14 **PARTICIPATION IN ALLIED DEFENSE CO-**
 15 **OPERATION.**

16 (a) *SHORT TITLE.—This section may be cited as the*
 17 *“NATO Participation Act”.*

18 (b) *TRANSFER OF EXCESS DEFENSE ARTICLES.—The*
 19 *President may transfer excess defense articles under section*
 20 *516 of the Foreign Assistance Act of 1961 or under the Arms*
 21 *Export Control Act to Poland, Hungary, the Czech Repub-*
 22 *lic, and Slovakia.*

23 (c) *LEASES AND LOANS OF MAJOR DEFENSE EQUIP-*
 24 *MENT AND OTHER DEFENSE ARTICLES.—Section 63(a)(2)*
 25 *of the Arms Export Control Act (22 U.S.C. 2796b) is*

1 amended by striking “or New Zealand” and inserting “New
2 Zealand, Poland, Hungary, the Czech Republic, or Slo-
3 vakia”.

4 (d) LOAN MATERIALS, SUPPLIES, AND EQUIPMENT
5 FOR RESEARCH AND DEVELOPMENT PURPOSES.—Section
6 65(d) of the Arms Export Control Act (22 U.S.C. 2796d(d))
7 is amended—

8 (1) by striking “or” after “United States)” and
9 inserting a comma; and

10 (2) by inserting before the period at the end the
11 following: “; Poland, Hungary, the Czech Republic, or
12 Slovakia”.

13 (e) COOPERATIVE MILITARY AIRLIFT AGREEMENTS.—
14 Section 2350c(e)(1)(B) of title 10, United States Code, is
15 amended by striking “and the Republic of Korea” and in-
16 serting “the Republic of Korea, Poland, Hungary, the Czech
17 Republic, and Slovakia”.

18 (f) PROCUREMENT OF COMMUNICATIONS SUPPORT AND
19 RELATED SUPPLIES AND SERVICES.—Section
20 2350f(d)(1)(B) is amended by striking “or the Republic of
21 Korea” and inserting “the Republic of Korea, Poland, Hun-
22 gary, the Czech Republic, or Slovakia”.

23 (g) STANDARDIZATION OF EQUIPMENT WITH NORTH
24 ATLANTIC TREATY ORGANIZATION MEMBERS.—Section

1 2457 of title 10, United States Code, is amended by adding
2 at the end the following new subsection:

3 “(g) It is the sense of the Congress that, in the interest
4 of maintaining stability and promoting democracy in East-
5 ern Europe, Poland, Hungary, the Czech Republic, and Slo-
6 vakia, those countries should, on and after the date of enact-
7 ment of this subsection, be included in all activities under
8 this section related to the increased standardization and en-
9 hanced interoperability of equipment and weapons systems,
10 through coordinated training and procurement activities,
11 as well as other means, undertaken by the North Atlantic
12 Treaty Organization members and other allied countries.”.

13 (h) INCLUSION OF OTHER EUROPEAN COUNTRIES
14 EMERGING FROM COMMUNIST DOMINATION.—The Presi-
15 dent should recommend legislation to the Congress making
16 eligible under the provisions of law amended by this section
17 such other European countries emerging from communist
18 domination as the President may determine if such coun-
19 tries—

20 (1) have made significant progress toward estab-
21 lishing democratic institutions, free market econo-
22 mies, civilian control of their armed forces, and the
23 rule of law; and

24 (2) are likely, within 5 years of such determina-
25 tion, to be in a position to further the principles of

1 *the North Atlantic Treaty and to contribute to the se-*
 2 *curity of the North Atlantic area.*

3 (i) *CERTIFICATION REQUIRED.*—*Before exercising the*
 4 *authority in subsection (a), or in section 63(a)(2) of the*
 5 *Arms Export Control Act, with respect to Poland, Hungary,*
 6 *the Czech Republic, or Slovakia, the President shall deter-*
 7 *mine and certify to the appropriate congressional commit-*
 8 *tees that no such country is selling or transferring defense*
 9 *articles to a state that has repeatedly provided support for*
 10 *acts of international terrorism, as determined by the Sec-*
 11 *retary of State under section 6(j) of the Export Administra-*
 12 *tion Act of 1979.*

13 **(184)SEC. 8124. SENSE OF THE CONGRESS CONCERNING**
 14 **THE REPUBLIC OF BULGARIA.**

15 (a) *FINDINGS.*—*The Congress finds that:*

16 (1) *In the spring of 1990, Bulgaria held its first*
 17 *round-table discussions and held its first free, demo-*
 18 *cratic elections in June 1990;*

19 (2) *In August 1990, the Bulgarian Grand Na-*
 20 *tional Assembly elected Dr. Zhelyu Zhelev as Presi-*
 21 *dent of the Republic;*

22 (3) *On July 12, 1991 the Parliament of Bul-*
 23 *garia adopted the new Constitution of the Republic of*
 24 *Bulgaria, which proclaims that Bulgaria is governed*
 25 *by the rule of law;*

1 (4) *In addition, the Bulgarian Constitution es-*
2 *tablishes the principles of a market economy in Bul-*
3 *garia, including Article 17 which guarantees and pro-*
4 *pects the right to property and inheritance and pro-*
5 *claims the inviolability of private property, and Arti-*
6 *cle 19 which states that the economy of Bulgaria is*
7 *based on free economic enterprise;*

8 (5) *In October 1991, Bulgaria held its second*
9 *parliamentary elections;*

10 (6) *Since 1990, the Bulgarian Parliament has*
11 *passed more than 220 laws establishing legal protec-*
12 *tions for a free market economy including the Law on*
13 *Land Ownership, the Law on the Protection of Com-*
14 *petition, the Law on Commerce, the Law on Privat-*
15 *ization, the Law on Accounting and the Law on*
16 *Banking;*

17 (7) *The Bulgarian private sector has grown from*
18 *5 percent of GNP in 1990 to 22 percent of GNP in*
19 *1993, and by the end of 1993, 47 percent of Bul-*
20 *garian farm land had been returned to its owners*
21 *prior to 1948;*

22 (8) *In June 1990, Bulgaria established diplo-*
23 *matic relations with NATO and on February 14,*
24 *1994, joined the Partnership for Peace;*

1 (9) *Since October 1991, the Bulgarian minister*
2 *of defense has been a civilian and this practice is*
3 *scheduled to be institutionalized when the Bulgarian*
4 *Law on Armed Forces is adopted in September 1994.*

5 (b) *SENSE OF CONGRESS.—Therefore, it is the sense*
6 *of the Congress that:*

7 (1) *The Republic of Bulgaria is making swift*
8 *and important progress to join the West and should*
9 *be strongly commended for its efforts.*

10 (2) *The Republic of Bulgaria is making signifi-*
11 *cant progress toward establishing democratic institu-*
12 *tions, a free market economy, civilian control of the*
13 *armed forces and the rule of law.*

14 (3) *As the President evaluates increased defense*
15 *cooperation with central and eastern Europe, Bul-*
16 *garia's extensive reform efforts should be given every*
17 *possible consideration.*

18 **(185)** *SEC. 8125. STUDY OF C-130S.—(a) REPORT.—*
19 *Within six months of enactment of this Act, the Chairman*
20 *of the Joint Chiefs of Staff (JCS) shall recommend to the*
21 *Secretary of Defense a master stationing plan for C-130*
22 *aircraft for the active and reserve components based on the*
23 *National Military Strategy and current contingency plans*
24 *of the Joint Chiefs of Staff. The report shall include:*

1 (1) a review of existing Air Reserve Component
2 C-130s; and

3 (2) a master plan for basing future Air Reserve
4 Component C-130s over the next twenty years.

5 (b) *INTERIM REDUCTIONS.*—No reductions of primary
6 authorized C-130 aircraft (PAA) shall be permitted until
7 after completion of the report.

8 (c) *APPROVAL.*—Within 2 months of receipt of the re-
9 port from the Chairman of the JCS, the Secretary of De-
10 fense shall approve the final master stationing plan for C-
11 130 aircraft and shall provide it to the congressional defense
12 committees. The Secretary shall also provide the final report
13 to the Air Force and to the National Guard Bureau for
14 implementation.

15 **(186)** *SEC. 8126.* Funds appropriated for the Army
16 by this Act may not be expended to deactivate or to take
17 any action necessary to deactivate any Army Reserve Offi-
18 cers' Training Corps unit, or to reduce any such unit for
19 the purpose of eventually deactivating that unit, unless the
20 Secretary of the Army has determined that the unit has
21 been placed in, and has been evaluated for a full evaluation
22 period under, the Effective Management Program of the
23 Army Cadet Command.

1 (187)**SEC. 8127. PREFERENCE FOR LOCAL AND SMALL BUSI-**
2 **NESSES TO CARRY OUT ENVIRONMENTAL**
3 **RESTORATION AND REMEDIATION OF**
4 **KAHO'OLAWA ISLAND, HAWAII.**

5 (a) *PREFERENCE REQUIRED.*—In entering into con-
6 tracts with private entities to carry out environmental res-
7 toration and remediation of Kaho'olawe Island, Hawaii,
8 and the waters surrounding that island, the Secretary of
9 the Navy shall, to the maximum extent practicable, give a
10 preference to small business concerns and small disadvan-
11 taged business concerns located in the State of Hawaii. In
12 giving the preference, the Secretary shall give especial pref-
13 erence to businesses owned by Native Hawaiians.

14 (b) *DEFINITIONS.*—In this section:

15 (1) The term “small business concern” means a
16 business concern meeting the requirements of section
17 3 of the Small Business Act (15 U.S.C. 632).

18 (2) The term “small disadvantaged business con-
19 cern” means the business concerns referred to in sec-
20 tion 7(d)(1) of such Act (15 U.S.C. 637(d)(1)).

21 (3) The term “Native Hawaiian” means any in-
22 dividual who is a descendent of the aboriginal people
23 who, prior to 1778, occupied and exercised sov-
24 ereignty in the area that now comprises the State of
25 Hawaii.

1 **(188)***SEC. 8128. (a) The prohibition on concurrent*
2 *award of compensation and retirement pay (including*
3 *naval pension) set forth in section 5304(a)(1) of title 38,*
4 *United States Code, does not apply to a person who has*
5 *a service-connected disability if—*

6 *(1) the person has completed at least 20 years of*
7 *service in the uniformed services that is creditable for*
8 *purposes of computing the amount of retirement pay*
9 *to which the member is entitled;*

10 *(2) the disability was incurred or aggravated in*
11 *the performance of duty as a member of a uniformed*
12 *service, as determined by the Secretary concerned;*
13 *and*

14 *(3) the disability is a disability rated as total—*

15 *(A) by the Secretary concerned as of the*
16 *date on which the person is retired from the uni-*
17 *formed services; or*

18 *(B) by the Secretary of Veterans Affairs*
19 *within four years following the date on which the*
20 *person is retired from the uniformed services.*

21 *(b) Notwithstanding section 1463(a) of title 10, United*
22 *States Code, the amount of retirement pay paid in accord-*
23 *ance with subsection (a) concurrently with the payment of*
24 *disability compensation to the recipients of such retirement*
25 *pay shall be paid out of funds appropriated by this Act.*

1 (c) Subsection (a) is not applicable to a person for any
2 period for which the disability of such person is not a dis-
3 ability rated as total as described in paragraph (3) of such
4 subsection.

5 (d) In this section:

6 (1) The terms “compensation”, “service-con-
7 nected”, and “Secretary concerned” have the mean-
8 ings given such terms in section 101 of title 38, Unit-
9 ed States Code.

10 (2) The term “disability rated as total”—

11 (A) means a disability that is rated as total
12 under the standard schedule of rating disabilities
13 in use by the Department of Veterans Affairs;
14 and

15 (B) does not include a disability for which
16 the schedular rating is less than total but for
17 which a rating of total is assigned by reason of
18 inability of the disabled person concerned to se-
19 cure or follow a substantially gainful occupation
20 as a result of service-connected disabilities or by
21 reason of any other factor.

22 (3) The term “uniformed services” has the mean-
23 ing given such term in section 101(a)(5) of title 10,
24 United States Code.

1 (e) *This section shall take effect on October 1, 1994,*
2 *and shall apply to months that begin on or after that date*
3 *and before October 1, 1995, upon authorization in an Act*
4 *other than this Act.*

5 **(189)SEC. 8129. IMPLEMENTATION OF AGREEMENT ON THE**
6 **RESTRUCTURING OF THE ARMY NATIONAL**
7 **GUARD AND THE ARMY RESERVE.**

8 (a) *FINDING.*—*Congress finds that the implementation*
9 *of the off-site agreement may result in the loss to the Armed*
10 *Forces of military personnel who have significant military*
11 *experience and expertise.*

12 (b) *REASSIGNMENT OF MEMBERS.*—(1) *To the maxi-*
13 *mum extent practicable, the Secretary of the Army shall*
14 *ensure that members of the Armed Forces who would other-*
15 *wise be separated from service as a result of the deactivation*
16 *of military units of the Army National Guard and the*
17 *Army Reserve under the off-site agreement be reassigned in-*
18 *stead to units that are not being deactivated.*

19 (2) *The reassignment of a member under paragraph*
20 *(1) shall not affect the grade or rank in grade of the mem-*
21 *ber.*

22 (c) *REPORTS.*—*Not later than 15 days after the end*
23 *of each calendar quarter while the off-site agreement is in*
24 *effect, the Secretary of the Army shall submit to the congres-*
25 *sional defense committees a report on the number of mem-*

1 *bers of the Armed Forces who were reassigned under sub-*
2 *section (b)(1) during the preceding calendar quarter.*

3 *(d) DEFINITIONS.—In this section:*

4 *(1) The term “congressional defense committees”*
5 *means the Committees on Armed Services and the*
6 *Committees on Appropriations of the Senate and the*
7 *House of Representatives.*

8 *(2) The term “off-site agreement” means the*
9 *agreement on the restructuring of the Army National*
10 *Guard and the Army Reserve.*

11 **(190)***SEC. 8130. No funds appropriated under this*
12 *Act may be obligated or expended for the purpose of estab-*
13 *lishing the Antler Military Operations Area, Pennsylvania,*
14 *for the purpose of conducting aerial combat training oper-*
15 *ations until Region III of the Environmental Protection*
16 *Agency has completed its currently ongoing Environmental*
17 *Impact Review.*

18 **(191)***SEC. 8131. (a) No project for the construction*
19 *of any facility, or improvement to any facility, having an*
20 *estimated Federal cost in excess of \$300,000, may be under-*
21 *taken in any fiscal year unless specifically identified as a*
22 *separate item in the President’s annual fiscal year budget*
23 *request or otherwise specifically authorized and appro-*
24 *priated if such facility or improvement would be used pri-*
25 *marily by personnel of the intelligence community.*

1 (b) As used in this section, the term “intelligence com-
2 munity” has the same meaning given that term in section
3 3(4) of the National Security Act of 1947 (50 U.S.C.
4 401a(4)).

5 **(192)**SEC. 8132. Of the funds made available by this
6 Act for the National Reconnaissance Office under the classi-
7 fied Schedule of Appropriations accompanying this Act,
8 funds allocated for construction of the headquarters build-
9 ings of the National Reconnaissance Office which were un-
10 obligated as of the date of enactment of this Act may not
11 be obligated or expended until the Director of Central Intel-
12 ligence and the Secretary of Defense have completed a re-
13 view of that construction project and the results of such re-
14 view have been disclosed to the Select Committee on Intel-
15 ligence of the Senate and the Permanent Select Committee
16 on Intelligence of the House of Representatives, and the
17 Committee on Appropriations of the Senate and the Com-
18 mittee on Appropriations of the House of Representatives.

19 **(193)**SEC. 8133. Notwithstanding any other provi-
20 sion of law, the Secretary of the Navy shall obligate, within
21 thirty days of this Act becoming law, not less than
22 \$29,750,000 from the funds appropriated in this Act or pre-
23 vious Acts under the heading “Aircraft Procurement,
24 Navy”, solely to procure, on an urgent basis, AN/USH-42
25 mission recorders modified for use in S-3B aircraft.

1 **(194)***SEC. 8134. Within 60 days of enactment of this*
 2 *Act, the President, in consultation with NATO, shall submit*
 3 *a report to the Committees on Appropriations of the Senate*
 4 *and House of Representatives defining specific military,*
 5 *economic, and political standards required to gain admis-*
 6 *sion to NATO: Provided, That such report shall not be lim-*
 7 *ited to the principles enunciated in the Partnership for*
 8 *Peace: Provided further, That such report shall include an*
 9 *assessment of measures which would be necessary to guaran-*
 10 *tee the armed services of Poland, Hungary, the Czech Re-*
 11 *public, Slovakia, Lithuania, Latvia and Estonia are capa-*
 12 *ble of military cooperation and interoperability with NATO*
 13 *and fulfilling other member responsibilities.*

14 **(195)***RESTRICTION ON FUNDING UNITED STATES*

15 *MILITARY PERSONNEL IN SOMALIA*

16 *SEC. 8135. None of the funds appropriated by this Act*
 17 *may be used for the continuous presence in Somalia of*
 18 *United States military personnel after September 30, 1994.*

19 **(196)***SEC. 8136. SENATE ADVICE AND CONSENT TO*
 20 *CHANGES IN OBLIGATIONS UNDER THE CFE*
 21 *TREATY.*

22 *(a) FINDINGS.—*

23 *(1) On November 25, 1991, the Senate gave its*
 24 *advice and consent to ratification of the CFE Treaty.*

1 (2) *The President would need to seek the Senate's*
 2 *advice and consent to any change in obligation of the*
 3 *States parties under the CFE Treaty, unless such*
 4 *change were a minor matter of an administrative or*
 5 *technical nature.*

6 (3) *A change in the allowed holdings of treaty*
 7 *limited equipment in the area of application or any*
 8 *geographic sub-zone of the area of application would*
 9 *constitute a change in obligation for which the Sen-*
 10 *ate's advice and consent would be required.*

11 (b) *REAFFIRMATION OF SENATE'S TREATY-MAKING*
 12 *POWERS.—The President shall submit for the Senate's ad-*
 13 *vice and consent any change in the obligations of any State*
 14 *party under the CFE Treaty, unless such change is a minor*
 15 *matter of an administrative or technical nature.*

16 (c) *CFE TREATY DEFINED.—For the purpose of this*
 17 *section, the CFE Treaty means the Treaty on Conventional*
 18 *Armed Forces in Europe, signed in Paris on November 19,*
 19 *1990, and associated protocols.*

20 **(197)** *SEC. 8137. (a)(1) The Secretary of Defense shall*
 21 *develop a plan for establishing and implementing a require-*
 22 *ment for disbursing officials of the Department of Defense*
 23 *to match disbursements to particular obligations before*
 24 *making the disbursements. The Secretary shall transmit the*
 25 *plan to Congress not later than March 1, 1995.*

1 (2) *The Inspector General of the Department of Defense*
2 *shall review the plan and submit the Inspector General's*
3 *independent assessment of the plan to the congressional de-*
4 *fense committees.*

5 (b)(1) *Not later than July 1, 1995, the Secretary of*
6 *Defense shall require that each disbursement by the Depart-*
7 *ment of Defense in an amount in excess of \$5,000,000 be*
8 *matched to a particular obligation before the disbursement*
9 *is made.*

10 (2) *Not later than October 1, 1995, the Secretary of*
11 *Defense shall require that each disbursement by the Depart-*
12 *ment of Defense in an amount in excess of \$1,000,000 be*
13 *matched to a particular obligation before the disbursement*
14 *is made.*

15 (c) *The Secretary shall ensure that a disbursement in*
16 *excess of the threshold amount applicable under subsection*
17 *(b) is not divided into multiple disbursements of less than*
18 *that amount for the purpose of avoiding the applicability*
19 *of such subsection to that disbursement.*

20 (d) *The Secretary of Defense may waive a requirement*
21 *for advance matching of a disbursement of the Department*
22 *of Defense with a particular obligation in the case of (1)*
23 *a disbursement involving deployed forces, (2) a disburse-*
24 *ment for an operation in a war declared by Congress or*
25 *a national emergency declared by the President or Congress,*

1 *or (3) a disbursement under any other circumstances for*
 2 *which the waiver is necessary in the national security inter-*
 3 *ests of the United States, as determined by the Secretary*
 4 *and certified by the Secretary to the congressional defense*
 5 *committees.*

6 *(e) This section shall not be construed to limit the au-*
 7 *thority of the Secretary of Defense to require that a dis-*
 8 *bursement not in excess of the amount applicable under sub-*
 9 *section (b) be matched to a particular obligation before the*
 10 *disbursement is made.*

11 **(198)SEC. 8138. SENSE OF CONGRESS ON NEGOTIATION OF**
 12 **LIMITATIONS ON NUCLEAR WEAPONS TEST-**
 13 **ING.**

14 *(a) FINDINGS.—Congress finds the following:*

15 *(1) On January 25, 1994, the United States*
 16 *joined with 37 other nations to begin negotiations for*
 17 *a comprehensive treaty to ban permanently all nu-*
 18 *clear weapons testing.*

19 *(2) On March 14, 1994, the President decided to*
 20 *extend the current United States nuclear testing mor-*
 21 *atorium at least through September 1995.*

22 *(3) Germany and the Group of 21 Non-Aligned*
 23 *States have publicly stated their support for the com-*
 24 *pletion of a comprehensive nuclear test ban treaty by*
 25 *1995.*

1 (4) *On June 6, 1994, the People's Republic of*
2 *China conducted its second nuclear weapons test ex-*
3 *plosion since the United States, Russia, and France*
4 *initiated their current nuclear test moratoria.*

5 (5) *On September 7, 1994, the third and final*
6 *test ban negotiating session of the year will end.*

7 (6) *While some progress toward a comprehensive*
8 *nuclear test ban treaty has been achieved, there is lit-*
9 *tle chance that an agreement will be reached before*
10 *April 1995 at the current rate of negotiation.*

11 (7) *The United States is seeking to extend indefi-*
12 *nitely the Non-Proliferation Treaty at the April 1995*
13 *Extension Conference.*

14 (8) *Conclusion of a comprehensive nuclear test*
15 *ban treaty could contribute toward successful negotia-*
16 *tions to extend the Non-Proliferation Treaty.*

17 (9) *Agreements to eliminate nuclear testing and*
18 *control the spread of nuclear weapons could contrib-*
19 *ute to national security of the United States, its al-*
20 *lies, and other nations around the world.*

21 (b) *SENSE OF CONGRESS.—The Congress—*

22 (1) *applauds the President for maintaining the*
23 *United States nuclear testing moratorium and for*
24 *supporting the negotiation of a comprehensive nuclear*
25 *test ban treaty;*

1 (2) encourages the People's Republic of China
2 and all other nuclear powers to refrain from conduct-
3 ing nuclear explosions prior to conclusion of a com-
4 prehensive nuclear test ban treaty; and

5 (3) urges the President and the other nuclear
6 powers to take measures necessary to achieve a multi-
7 lateral comprehensive nuclear test ban treaty before
8 the Non-Proliferation Treaty Extension Conference.

9 (c) *DEFINITION.*—As used in this section, the term
10 “Non-Proliferation Treaty” means the Treaty on the Non-
11 Proliferation of Nuclear Weapons, done at Washington,
12 London, and Moscow on July 1, 1968 (21 U.S.T. 483).

13 **(199)**SEC. 8139. (a) Notwithstanding any other pro-
14 vision of law, the Secretary of a military department may
15 enter into a contract for use of commercial or proprietary
16 credit card services for augmenting or replacing any in-
17 house account receivable system in use by a
18 nonappropriated fund instrumentality under the jurisdic-
19 tion of that Secretary if the Secretary determines that such
20 contract is in the best interest of that department.

21 (b) No official of the Department of Defense outside
22 a military department may, by regulation or otherwise,
23 limit or control the exercise of authority under this section
24 by the Secretary of that military department.

1 **(200)**SEC. 8140. (a) *PROHIBITION.*—No funds appro-
2 priated under this Act may be made available to the Demo-
3 cratic People’s Republic of Korea until the President cer-
4 tifies and reports to Congress that the Democratic People’s
5 Republic of Korea—

6 (1) *does not possess nuclear weapons;*

7 (2) *has halted its nuclear weapons program; and*

8 (3) *is not exporting weapons-grade plutonium.*

9 (b) *NATIONAL SECURITY WAIVER.*—The President
10 may waive the prohibition in this section if he determines
11 and certifies in writing to the Congress that to do so is
12 vital to the national security interest of the United States,
13 and notifies the appropriate committees of Congress 15 days
14 in advance in accordance with the regular notification pro-
15 cedures of such committees. Such notification shall include
16 the nature, purpose and amount of any proposed assistance.

17 **(201)**SEC. 8141. Notwithstanding any other provi-
18 sion of law, within the funds made availability by this Act,
19 the Department of Defense shall pay the appropriate
20 amount of Aviation Continuation Pay authorized by 37
21 U.S.C. Sec. 301(b) to the survivors of persons who have
22 signed reenlistment contracts on or after January 1, 1994,
23 but whose service connected death predates the effective date
24 of such reenlistment contract by less than 14 days.

1 **(202)***SEC. 8142. It is the sense of the Senate that not*
2 *later than 90 days after the enactment of this Act, the De-*
3 *partment of Defense shall submit all documents pertaining*
4 *to any and all Department of Defense chemical and biologi-*
5 *cal warfare tests involving the use of zinc cadmium sulfide*
6 *conducted anywhere in the United States.*

7 **(203)***SEC. 8143. None of the funds made available*
8 *under this Act may be obligated or expended for the reloca-*
9 *tion or reduction of the functions specified in the 1991 and*
10 *1993 Reports to the President of the Defense Base Closure*
11 *and Realignment Commission to be maintained at Fort*
12 *Chaffee, Arkansas, including all civilian management, sup-*
13 *port personnel and operations associated with these func-*
14 *tions that were in existence as of September 30, 1994.*

15 **(204)***SEC. 8144. (a) None of the funds available to*
16 *the Department of Defense during fiscal year 1995 may be*
17 *used for negotiating or entering into any agreement with,*
18 *nor for accepting funds from, a foreign government or an*
19 *entity controlled by a foreign government for a joint pro-*
20 *gram for the development of an advanced threat radar*
21 *jammer for combat helicopters until 30 days after the Sec-*
22 *retary of Defense, in consultation with the Secretary of*
23 *State, the Secretary of the Army, and the Director of the*
24 *Defense Security Assistance Agency, conducts a comprehen-*

1 *sive review of the program and submits a report on the re-*
 2 *sults of that review to the congressional defense committees.*

3 *(b) This section does not apply with respect to a major*
 4 *ally of the United States.*

5 *(c) In this section:*

6 *(1) The term “entity controlled by a foreign gov-*
 7 *ernment” includes—*

8 *(A) any domestic or foreign organization or*
 9 *corporation that is effectively owned or con-*
 10 *trolled by a foreign government; and*

11 *(B) any individual acting on behalf of a*
 12 *foreign government,*

13 *as determined by the Secretary of Defense. Such term*
 14 *does not include an organization or corporation that*
 15 *is owned, but is not controlled, either directly or indi-*
 16 *rectly, by a foreign government if the ownership of*
 17 *that organization or corporation by that foreign gov-*
 18 *ernment was effective before October 23, 1992.*

19 *(2) The term “major ally of the United States”*
 20 *has the meaning given such term in section*
 21 *2350a(i)(2) of title 10, United States Code.*

22 **(205)SEC. 8145. SENSE OF THE SENATE CONCERNING**
 23 **LOWRY AFB.**

24 *It is the sense of the Senate that—*

1 (1) in issuing any lease, permit or deed of con-
2 veyance for use to assist the homeless under the Stew-
3 art B. McKinney Homeless Assistance Act concerning
4 Lowry Air Force Base, Colorado, the Secretary of
5 Health and Human Services, representatives of the
6 city of Denver, Colorado, representatives of the city of
7 Aurora, Colorado and representatives of homeless pro-
8 viders whose applications have been approved by the
9 Secretary of Health and Human Services should
10 jointly determine that such use is reasonable under
11 the redevelopment plan for Lowry Air Force Base,
12 Colorado; and

13 (2) the Department of Defense and the Depart-
14 ment of Health and Human Services, in coordination
15 with the appropriate committees of Congress and ap-
16 propriate State and local authorities, should develop
17 a reform proposal to address the many difficulties
18 created for local communities by existing laws relat-
19 ing to the loan, lease or conveyance for use of govern-
20 ment property during the base closure process.

21 **(206)** SEC. 8146. (a) None of the funds appropriated
22 in this Act for a second low rate initial production (LRIP)
23 contract or contract option for the Hunter unmanned aerial
24 vehicle (UAV) system may be obligated until the Depart-

1 *ment of Defense certifies to the congressional defense com-*
2 *mittees that—*

3 *(1) two Hunter UAV systems have been accepted*
4 *by the Government using the currently defined Ac-*
5 *ceptance Test Procedure;*

6 *(2) the operational tempo (OPTEMPO) phase of*
7 *the risk reduction program has been successfully com-*
8 *pleted; and*

9 *(3) the flight test portion of the first article test*
10 *(FAT) has been successfully completed.*

11 *(b) None of the funds appropriated in this Act may*
12 *be obligated to procure more than four Hunter UAV systems*
13 *until the Logistics Support Analysis (LSA) report has been*
14 *submitted to the relevant committees of Congress and the*
15 *Department of Defense has certified to these committees that*
16 *the LSA is sufficient to fully support fielding of the Hunter*
17 *UAV.*

18 **(207)***SEC. 8147. It is the sense of the Senate that of*
19 *the funds appropriated by title VIII of Public Law 102–*
20 *396 (106 Stat. 1899) for defense reinvestment for economic*
21 *growth, the unobligated balance of the funds made available*
22 *by such title for military service members occupational con-*
23 *version and training shall remain available until Septem-*
24 *ber 30, 1995.*

1 **(208)***SEC. 8148. (a) Sense of the Senate concerning*
2 *Japan fulfilling its commitments under the Host Nation*
3 *Support Agreement it signed with the United States on*
4 *January 14, 1991:*

5 *(b) The Senate finds—*

6 *(1) That, the United States-Japan Security*
7 *Treaty continues to be a strong bond between our two*
8 *countries, serving as a main pillar of the bilateral re-*
9 *lationship;*

10 *(2) That, the bilateral relationship is of vital im-*
11 *portance to both countries and to the stability of the*
12 *Asia Pacific region and the entire world;*

13 *(3) That, Japan's willingness to share the costs*
14 *of maintaining forces in Japan is an important con-*
15 *tribution to strengthening our security partnership;*

16 *(4) That, it has often been asserted that Japan's*
17 *host nation support for American forces provides a*
18 *model defense burden-sharing arrangement for our al-*
19 *lies;*

20 *(5) That, Japan and the United States signed a*
21 *new Host Nation Support Agreement on January 14,*
22 *1991, providing for Japan to assume—over five years*
23 *beginning in Japanese Fiscal Year 1991 and ending*
24 *in fiscal year 1995—virtually all yen-based costs of*
25 *maintaining United States forces in Japan;*

1 (6) *That, Japan voluntarily entered into that*
2 *agreement more than a year before the expiration of*
3 *the previous Host Nation Support Agreement which*
4 *was not as generous;*

5 (7) *That, the Government of Japan hailed the*
6 *new agreement as “a step of great significance for the*
7 *overall relationship between the two countries”;*

8 (8) *That, Japan’s Defense Agency appears to*
9 *have decided to decrease expenses for bearing the cost*
10 *of stationing United States forces in Japan in its fis-*
11 *cal year 1995 budget request, thereby failing to fulfill*
12 *its obligations under the 1991 Host Nation Support*
13 *Agreement;*

14 (9) *That, should Japan fail to fulfill those obli-*
15 *gations, the bilateral relationship may suffer negative*
16 *consequences, particularly as current problems on the*
17 *Korean peninsula pose a critical challenge to United*
18 *States-Japan security ties: Now, therefore*

19 (c) *It is the sense of the Senate that—*

20 (1) *It is in the interest of both Japan and the*
21 *United States to fully comply with all the provisions*
22 *of the Host Nation Support Agreement of 1991; and*

23 (2) *Should either nation wish to depart from*
24 *fully complying with all the provisions of that agree-*

1 *ment, it should engage in close consultations with its*
2 *counterpart before taking any action.*

3 **(209)** *SEC. 8149. None of the funds appropriated in*
4 *this Act may be transferred to or obligated from the Penta-*
5 *gon Reservation Maintenance Revolving Fund, unless the*
6 *Secretary of Defense certifies that the total cost for the plan-*
7 *ning design, construction and installation of equipment for*
8 *the renovation of the Pentagon Reservation will not exceed*
9 *\$1,218,000,000.*

10 **(210) SEC. 8150. BOSNIA AND HERCEGOVINA.**

11 *(a) PURPOSE.—To express the sense of Congress con-*
12 *cerning the international efforts to end the conflict in*
13 *Bosnia and Hercegovina, and to establish a process to end*
14 *the arms embargo on the Government of Bosnia and*
15 *Hercegovina.*

16 *(b) STATEMENT OF SUPPORT.—The Congress supports*
17 *the efforts of the so-called “contact group” composed of rep-*
18 *resentatives of the United States, Russia, France, Britain,*
19 *and Germany to bring about a peaceful settlement of the*
20 *conflict in Bosnia and Hercegovina based upon the con-*
21 *tact’s group proposal of July 6, 1994 that has been agreed*
22 *to by the Government of Bosnia and Hercegovina and re-*
23 *jected by the Bosnian Serb faction.*

24 *(c) SENSE OF THE CONGRESS.—It is the sense of the*
25 *Congress that:*

1 (1) *The United States should work with the*
2 *NATO Member nations and other permanent Members*
3 *of the United Nations Security Council to bring about*
4 *a peaceful settlement of the conflict in Bosnia and*
5 *Hercegovina which maintains the territorial integrity*
6 *of Bosnia and Hercegovina.*

7 (2) *A peaceful settlement of the conflict must pre-*
8 *serve an economically, politically and militarily via-*
9 *ble Bosnian state capable of exercising its rights*
10 *under the United Nations Charter as part of a peace-*
11 *ful settlement, including the lifting of the arms em-*
12 *bargo on the Government of Bosnia and Hercegovina*
13 *so that it can exercise the inherent right of a sov-*
14 *ereign state to self-defense.*

15 (3) *The acceptance of the contact group's peace*
16 *proposal by the Government of Bosnia and*
17 *Hercegovina should lead to the lifting of the inter-*
18 *national arms embargo on that Government.*

19 (4) *In providing weapons to the Bosnian Gov-*
20 *ernment or taking other actions, care should be taken*
21 *to provide for the safety of the United Nations Protec-*
22 *tion Force (UNPROFOR) and the civilian personnel*
23 *working for the United Nations or non-governmental*
24 *volunteer organizations.*

1 (5) *The United States should immediately seek to*
2 *organize an international effort to provide assistance*
3 *to the nations bordering Serbia and Montenegro to*
4 *bring about more effective enforcement by those na-*
5 *tions of the international economic sanctions on the*
6 *Government of Serbia and Montenegro.*

7 (d) *POLICY.—The United States should exercise leader-*
8 *ship within the international community to cause the*
9 *Bosnian Serb faction to accept the contact's group's pro-*
10 *posal. Such action should be taken on separate but com-*
11 *plementary international and unilateral tracks. Accord-*
12 *ingly:*

13 (1) *International: If the Bosnian Serbs have not*
14 *accepted the contact group's proposal of July 6, 1994*
15 *within 10 days after the enactment of this Act or by*
16 *October 15, 1994, whichever is later, the President or*
17 *his representative should formally introduce and sup-*
18 *port a resolution in the United Nations Security*
19 *Council, within fourteen days thereafter, to terminate*
20 *the international arms embargo on the Government of*
21 *Bosnia and Hercegovina. The termination of the*
22 *arms embargo on the Government of Bosnia and*
23 *Hercegovina may be accomplished in stages but*
24 *should result in a lifting of the arms embargo no later*
25 *than December 1, 1994.*

1 (2) *Unilateral: If the United Nations Security*
2 *Council has not voted to lift the international arms*
3 *embargo on the Government of Bosnia and*
4 *Hercegovina in accordance with paragraph (1) with-*
5 *in 15 days after the President or his representative*
6 *has formally introduced such a resolution or by No-*
7 *vember 15, 1994, whichever is earlier, and the*
8 *Bosnian Serbs have not accepted the contact group's*
9 *proposal of July 6, 1994 by that date:*

10 (A) *None of the funds available to the De-*
11 *partment of Defense for any fiscal year shall*
12 *thereafter be used for the purpose of participa-*
13 *tion in, support for, or assistance to the enforce-*
14 *ment of the arms embargo on the Government of*
15 *Bosnia and Hercegovina but the President may*
16 *waive this provision in the case of United States*
17 *military personnel serving in NATO head-*
18 *quarters staff positions. Nothing in this provi-*
19 *sion is intended to impede sanctions enforcement*
20 *against Serbia;*

21 (B) *The President shall submit a plan to*
22 *and consult with the Congress on the manner in*
23 *which the Armed Forces of the United States and*
24 *other friendly nations would provide training to*
25 *the armed forces of the Government of Bosnia*

1 *and Hercegovina outside of the territory of*
2 *Bosnia and Hercegovina; and*

3 *(C) The President shall submit a plan to*
4 *and consult with the Congress regarding unilat-*
5 *eral lifting by the United States of the arms em-*
6 *bargo on the Government of Bosnia and*
7 *Hercegovina.*

8 *(3) Interim: If the Bosnian Serb faction attacks*
9 *the United Nations declared safe areas, the President*
10 *or his representative should promptly introduce and*
11 *support a resolution in the United Nations Security*
12 *Council that authorizes a selective lifting of the arms*
13 *embargo on the Government of Bosnia and*
14 *Hercegovina to provide defensive weapons, such as*
15 *anti-tank weapons, counter-battery radars, and mor-*
16 *tars, to enable the forces of the Government of Bosnia*
17 *and Hercegovina to defend the safe areas.*

18 **(211)***SEC. 8151. TERMINATION OF ARMS EMBAR-*
19 *GO.—*

20 *(1) TERMINATION.—The President shall termi-*
21 *nate the United States arms embargo of the Govern-*
22 *ment of Bosnia and Herzegovina no later than No-*
23 *vember 15, 1994 so that government may exercise its*
24 *right of self-defense under Article 51 of the United*
25 *Nations Charter.*

1 (2) *DEFINITION.*—As used in this section, the
2 term “United States arms embargo of the Government
3 of Bosnia and Herzegovina” means the application to
4 the Government of Bosnia and Herzegovina of—

5 (A) the policy adopted July 10, 1991, and
6 published in the Federal Register of July 19,
7 1991 (58 F.R. 33322) under the heading “Sus-
8 pension of Munitions Export Licenses to Yugo-
9 slavia”; and

10 (B) any similar policy being applied by the
11 United States Government as of the date of re-
12 ceipt of the request described in paragraph (1)
13 pursuant to request described in paragraph (1)
14 pursuant to which approval is denied for trans-
15 fers of defense articles and defense services to the
16 former Yugoslavia.

17 (3) *RULE OF CONSTRUCTION.*—Nothing in this
18 section shall be interpreted as authorization for de-
19 ployment of United States forces in the territory of
20 Bosnia and Herzegovina for any purpose, including
21 training, support, or delivery of military equipment.

22 **(212)** *SEC. 8152.* (a) Of the funds appropriated under
23 the heading “Research, Development, Test and Evaluation,
24 Navy” in title IV of this Act, \$3,900,000 shall be made

1 *available only for the Joint Primary Aircraft Training*
 2 *System (JPATS) program.*

3 *(b) Of the funds appropriated under the heading “Re-*
 4 *search, Development, Test and Evaluation, Air Force” in*
 5 *title IV of this Act, \$37,057,000 shall be made available*
 6 *only for the JPATS program.*

7 *(c) Of the funds appropriated under the heading “Air-*
 8 *craft Procurement, Air Force” in title III of this Act,*
 9 *\$78,265,000 shall be made available only for the JPATS*
 10 *program.*

11 **(213)** *SEC. 8153. No funds appropriated by this Act*
 12 *may be obligated or expended during fiscal year 1995 for*
 13 *retiring, or preparing to retire, any B-52H, B-1B, or F-*
 14 *111 bomber aircraft.*

15 **(214)** ~~This Act may be cited as the “Department of~~
 16 ~~Defense Appropriations Act, 1995”.~~

17 *Titles I through VIII of this Act may be cited as the*
 18 *“Department of Defense Appropriations Act, 1995”.*

19 *TITLE IX—FISCAL YEAR 1994 SUPPLEMENTAL*
 20 *APPROPRIATION*

21 *The following sum is appropriated, out of any money*
 22 *in the Treasury not otherwise appropriated, for the fiscal*
 23 *year ending September 30, 1994, namely:*

1 *DEPARTMENT OF DEFENSE*2 *MANAGEMENT FUNDS*3 *EMERGENCY RESPONSE FUND*

4 *For the "Emergency Response Fund", \$170,000,000:*
5 *Provided, That these funds may be used to reimburse appro-*
6 *priations of the Department of Defense for costs incurred*
7 *for emergency relief for Rwanda: Provided further, That the*
8 *Secretary of State shall provide a report to the Congress*
9 *no later than September 1, 1994, as to the burden-sharing*
10 *arrangements in the Rwanda relief operation that have been*
11 *negotiated and implemented with other nations, and inter-*
12 *national public and private organizations, as to both cost*
13 *and personnel participation, including armed forces par-*
14 *ticipation: Provided further, That the Secretary of Defense*
15 *shall provide assessments to the Congress no later than Sep-*
16 *tember 1, 1994, of (1) any threats to the security of United*
17 *States personnel, including armed forces personnel, in the*
18 *Rwanda relief operation, and (2) the extent to which the*
19 *UNAMIR peacekeeping operation has established a security*
20 *system within the country of Rwanda: Provided further,*
21 *That any change in the mission from one of strict refugee*
22 *relief to security, peace-enforcing, nation-building or any*
23 *other substantive role, shall not be implemented without the*
24 *further approval of the Congress: Provided further, That*
25 *United States armed forces shall not participate in relief*

1 *operations inside Rwanda until and unless the President*
 2 *has certified to the Congress that the security situation in*
 3 *the countryside has stabilized to the extent that United*
 4 *States forces will not play a peacekeeping or peace-enforc-*
 5 *ing role between the warring factions inside Rwanda: Pro-*
 6 *vided further, That no funds are available for United States*
 7 *participation in operations in or around Rwanda after Oc-*
 8 *tober 7, 1994: Provided further, That the President shall*
 9 *provide a plan to the Congress by September 15, 1994, as*
 10 *to how he will terminate United States involvement in the*
 11 *Rwanda operation by October 7, 1994, unless an extension*
 12 *of time is approved by the Congress, and what arrange-*
 13 *ments have been made for other nations and international*
 14 *public and private organizations to replace United States*
 15 *resources and personnel.*

16 **(215)** *TITLE X—MEGAN KANKA SEXUALLY*
 17 *VIOLENT PREDATORS ACT*

18 **SEC. 1001. SHORT TITLE.**

19 *This title may be cited as the “Megan Kanka Sexually*
 20 *Violent Predators Act”.*

21 **SEC. 1002. FINDINGS.**

22 *Congress finds that—*

23 *(1) there exists a small but extremely dangerous*
 24 *group of sexually violent persons who do not have a*
 25 *mental disease or defect;*

1 (2) *persons who are sexually violent predators*
2 *generally have antisocial personality features that—*

3 (A) *are not amenable to mental illness*
4 *treatment modalities in existence on the date of*
5 *enactment of this Act; and*

6 (B) *render the persons likely to engage in*
7 *sexually violent behavior;*

8 (3) *the likelihood that sexually violent predators*
9 *will repeat acts of predatory sexual violence is high;*
10 *and*

11 (4) *the prognosis for curing sexually violent*
12 *predators is poor and the treatment needs of the pop-*
13 *ulation of the predators are very long-term.*

14 **SEC. 1003. DEFINITIONS.**

15 *As used in this title:*

16 (1) *MENTAL ABNORMALITY.*—*The term “mental*
17 *abnormality” means a congenital or acquired condi-*
18 *tion of a person that affects the emotional or voli-*
19 *tional capacity of the person in a manner that pre-*
20 *disposes the person to the commission of criminal sex-*
21 *ual acts to a degree that makes the person a menace*
22 *to the health and safety of other persons.*

23 (2) *PREDATORY.*—*The term “predatory”, with*
24 *respect to an act, means an act directed towards a*
25 *stranger, or a person with whom a relationship has*

1 *been established or promoted, for the primary purpose*
2 *of victimization.*

3 (3) *SEXUALLY VIOLENT OFFENSE.*—*The term*
4 *“sexually violent offense” means an act that is a vio-*
5 *lation of title 18, United States Code or State crimi-*
6 *nal code that—*

7 (A) *involves the use or attempted or threat-*
8 *ened use of physical force against the person or*
9 *property of another person; and*

10 (B) *is determined beyond a reasonable*
11 *doubt to be sexually motivated.*

12 (4) *SEXUALLY VIOLENT PREDATOR.*—*The term*
13 *“sexually violent predator” means a person who has*
14 *been convicted of a sexually violent offense and who*
15 *suffers from a mental abnormality or personality dis-*
16 *order that makes the person likely to engage in preda-*
17 *tory sexually violent offenses.*

18 **SEC. 1004. ESTABLISHMENT OF PROGRAM.**

19 (a) *IN GENERAL.*—

20 (1) *STATE GUIDELINES.*—*In accordance with*
21 *this section, the Attorney General shall establish*
22 *guidelines for State programs to require a sexually*
23 *violent predator to register a current address with a*
24 *designated State law enforcement agency upon release*
25 *from prison, being placed on parole, or being placed*

1 on supervised release. The Attorney General shall ap-
2 prove each State program that complies with the
3 guidelines.

4 (2) STATE COMPLIANCE.—

5 (A) IMPLEMENTATION DATE.—A State that
6 does not implement a program described in
7 paragraph (1) by the date that is 3 years after
8 the date of enactment of this Act, and maintain
9 the implementation thereafter, shall be ineligible
10 for funds in accordance with subparagraph (B).

11 (B) INELIGIBILITY FOR FUNDS.—

12 (i) IN GENERAL.—A State that does
13 not implement the program as described in
14 subparagraph (A) shall not receive 10 per-
15 cent of the funds that would otherwise be al-
16 located to the State under section 506 of the
17 Omnibus Crime Control and Safe Streets
18 Act of 1968 (42 U.S.C. 3756).

19 (ii) REALLOCATION OF FUNDS.—Funds
20 made available under clause (i) shall be re-
21 allocated, in accordance with such section,
22 to such States as implement the program as
23 described in subparagraph (A).

24 (b) REGISTRATION REQUIREMENT UPON RELEASE,

25 PAROLE, OR SUPERVISED RELEASE.—

1 (1) *IN GENERAL.*—An approved State program
2 established in accordance with this section shall con-
3 tain the requirements described in this section.

4 (2) *DETERMINATION.*—The determination that a
5 person is a “sexually violent predator” and the deter-
6 mination that a person is no longer a “sexually vio-
7 lent predator” shall be made by the sentencing court
8 after receiving a report by a board of experts on sex-
9 ual offenses. Each State shall establish a board com-
10 posed of experts in the field of the behavior and treat-
11 ment of sexual offenders.

12 (3) *NOTIFICATION.*—If a person who is required
13 to register under this section is anticipated to be re-
14 leased from prison, paroled, or placed on supervised
15 release, a State prison officer shall, not later than 90
16 days before the anticipated date of the release or com-
17 mencement of the parole—

18 (A) inform the person of the duty to reg-
19 ister;

20 (B) inform the person that if the person
21 changes residence address, the person shall give
22 the new address to a designated State law en-
23 forcement agency in writing not later than 10
24 days after the change of address;

1 (C) obtain the name of the person, identify-
2 ing factors, anticipated future residence, offense
3 history, and documentation of any treatment re-
4 ceived for the mental abnormality or personality
5 disorder of the person; and

6 (D) require the person to read and sign a
7 form stating that the duty of the person to reg-
8 ister under this section has been explained.

9 (4) *TRANSFER OF INFORMATION TO STATE AND*
10 *THE FBI.*—Not later than 3 days after the receipt of
11 the information described in paragraph (3)(C), the of-
12 ficer shall forward the information to a designated
13 State law enforcement agency. As soon as practicable
14 after the receipt of the information by the State law
15 enforcement agency, the agency shall—

16 (A) enter the information into the appro-
17 priate State law enforcement record system and
18 notify the appropriate law enforcement agency
19 that has jurisdiction over the area in which the
20 person expects to reside; and

21 (B) transmit the information to the Identi-
22 fication Division of the Federal Bureau of Inves-
23 tigation.

24 (5) *QUARTERLY VERIFICATION.*—

1 (A) *MAILING TO PERSON.*—Not less than
2 every 90 days after the date of the release or
3 commencement of parole of a person required to
4 register under this section, the designated State
5 law enforcement agency shall mail a
6 nonforwardable verification form to the last re-
7 ported address of the person.

8 (B) *RETURN OF VERIFICATION FORM.*—

9 (i) *IN GENERAL.*—The person shall re-
10 turn, by mail, the verification form to the
11 agency not later than 10 days after the re-
12 ceipt of the form. The verification form
13 shall be signed by the person, and shall
14 state that the person continues to reside at
15 the address last reported to the designated
16 State law enforcement agency.

17 (ii) *FAILURE TO RETURN.*—If the per-
18 son fails to mail the verification form to the
19 designated State law enforcement agency by
20 the date that is 10 days after the receipt of
21 the form by the person, the person shall be
22 in violation of this section unless the person
23 proves that the person has not changed the
24 residence address of the person.

1 (6) *NOTIFICATION OF LOCAL LAW ENFORCEMENT*
2 *AGENCIES OF CHANGES IN ADDRESSES.*—Any change
3 of address by a person required to register under this
4 section that is reported to the designated State law
5 enforcement agency shall as soon as practicable be re-
6 ported to the appropriate law enforcement agency
7 that has jurisdiction over the area in which the per-
8 son is residing.

9 (7) *PENALTY.*—A person required to register
10 under a State program established pursuant to this
11 section who knowingly fails to register and keep the
12 registration current shall be subject to criminal pen-
13 alties in the State. It is the sense of Congress that the
14 penalties should include imprisonment for not less
15 than 180 days.

16 (8) *TERMINATION OF OBLIGATION TO REG-*
17 *ISTER.*—The obligation of a person to register under
18 this section shall terminate on a determination made
19 in accordance with the provision of paragraph (2) of
20 this section that the person no longer suffers from a
21 mental abnormality or personality disorder that
22 would make the person likely to engage in a preda-
23 tory sexually violent offense.

24 (c) *COMMUNITY NOTIFICATION.*—The designated State
25 law enforcement agency shall release relevant information

1 *that is necessary to protect the public concerning a specific*
 2 *sexually violent predator required to register under this sec-*
 3 *tion.*

4 *(d) IMMUNITY FOR GOOD FAITH CONDUCT.—Law en-*
 5 *forcement agencies, employees of law enforcement agencies,*
 6 *and State officials shall be immune from liability for any*
 7 *good faith conduct under this section.*

Passed the House of Representatives June 29, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.

Passed the Senate August 11, 1994.

Attest: MARTHA S. POPE,
Secretary.

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HR 4650 PP—4

HR 4650 PP—5

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